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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. MCNULTY).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 15, 2008.

I hereby appoint the Honorable MICHAEL R. MCNULTY to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 25 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes, but in no event shall debate continue beyond 9:50 a.m.

HIGH GAS PRICES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, people are right to be concerned about the impact of high gas prices, diesel fuel, and even though it is summer, soon we'll have to be concerned about home heating oil prices as well. This is hurting everyone from truck drivers to nonprofits, like Meals on Wheels, who are seeing fewer volunteers because they can't afford the gasoline. It is clear that American families are struggling after years of this administration's failed energy policies. They need help from their political leaders, but most of all, they deserve to be treated honestly.

While it may test well with some focus groups to talk about opening up some of our most fragile and sensitive areas, like the Arctic, for drilling, it fails the more fundamental test of making a difference for our families today or for at least this year. It will take 10 to 20 years before the oil begins to flow from a place like the Arctic, and the benefits will not necessarily be noticed by families even then as we are in a vast global oil market. We hear now that there is a lack of equipment, materials and workers that compounds the problem of getting that oil to flow even if we move forward.

Expanding oil drilling as an answer to the current problems is a hoax because it will not make any difference for years, and even then, it will have so small an impact as to not even be noticed by most people. A difference of 2 cents a gallon in 20 years is little solace for people who are seeing gas prices rise 10 cents in a couple of days and oil prices shooting up $10 a barrel in a single day. It is a cruel hoax because there are things that can be done now.

An example of something we can do tomorrow which will make a difference immediately would be to release even a small fraction of the oil stored in the Strategic Petroleum Reserve. This would squeeze dollars out of the speculative part of the price of oil today. The money from the proceeds of selling this oil could be used to finance badly needed energy and transportation alternatives, and we would still have money left over with which we could continue to fill the Reserve with less expensive oil over time.

There are a series of initiatives that are being examined by the House this week that would rein in oil speculators. I don't know whether it's $5 or $50 a barrel. The experts we hear from conflict, but it's clear that there is some impact. If we stopped wasting taxpayer dollars and eliminated the Hummer tax loophole, which subsidizes the purchase of the largest, heaviest, most expensive gas guzzlers on the road, and instead used that money to make investments, that would help families now.

We can also help immediately by leveling the tax and policy playing field to give American families more choices about how they get around and about how they spend their money on their transportation needs. That's why I've introduced legislation, the Transportation and Housing Choices for Gas Price Relief Act, that recognizes, while there is no single solution to the complex energy situation we are facing, we can immediately reduce the impact of high gas prices on consumers by providing them with real options.

The bill would expand the successful Safe Routes to Schools program, and it would make high schools eligible so children could get to school on their own, burning calories instead of fossil fuel.

It would allow self-employed small businesspeople to get for the first time transit commuting benefits currently enjoyed by other employees of larger businesses. This legislation wouldn't force commuters into a one-size-fits-all solution for their transportation benefits. Instead, it would level the playing field so they could access what works for them.

The bill recognizes that the housing choices that reduce commuting costs sometimes may be a little more expensive, but it results in a legitimate increase in terms of their capacity to purchase a house, and that should be reflected in policy. It promotes telecommuting as well.

It uses current resources better to give people more choices designed to make lives better for Americans today,

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this year, in 2008, not waiting until 2028. Congress should not spin an energy fantasy, but should deal with things that we can do today to deal with today's energy realities, and I urge my colleagues to look at the options like those in my legislation.

EARMARKS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arizona (Mr. FLAKE) for 5 minutes.

Mr. FLAKE. I will speak for a minute and then refer to a few charts.

Today, Mr. Speaker, I rise to draw attention to earmarks contained in the Homeland Security appropriations bill. We may not even have any appropriations bills on the floor this year. What may happen is that we will simply do a continuing resolution in September and then sometime in January do a big omnibus bill, and all of the earmarks, the thousands and thousands and thousands of earmarks that have been put into the bills through the appropriations process that have never been to the floor, will simply be approved with one vote. So it behooves us to do what we can to actually highlight what some of these earmarks are. Now, we know some of the earmarks that are in the Homeland Security bill, and we hope that it comes to the floor. It likely will not, so we'll talk about one of them here.

Mr. Speaker, there is in the Homeland Security bill something called the Pre-Disaster Mitigation Program. Now, this has not traditionally been earmarked in the Homeland Security bill. It only started last year. Last year and this year, we have earmarked some $75 million total for this account. Now, in this account, some $500,000 was earmarked for Westchester and Rockland Counties in New York for pre-disaster mitigation earmarks. This comes on the heels of the same counties getting about $1 million last year.

Now, New York State has its share of disasters. I think there were 21 Presidential disaster declarations over the past 10 years, but there were just as many in other States, other States that had to go through the regular process whereby grants were awarded on the basis of merit rather than on the basis of: Do we have an appropriator? Do we have a high-level Member of leadership who can get us an earmark for some of these programs?

For example, in parts of Oklahoma, they had 20 disaster areas declared in the last 10 years. Yet Oklahoma hasn't received a dime in earmark funding in this bill. They must not have an appropriator here.

We often endlessly hear that Members of Congress know their districts better than some faceless bureaucrat; that's why they've got to earmark, but let me ask: Does a member of the Appropriations Committee or a Member of leadership know his district better than a rank and file Member? Because the former are getting most of the earmarks at the expense of the latter.

Let me refer to this chart. On this chart, in the last 2 years, for pre-disaster mitigation earmarks in the Homeland Security bill, rank and file Members have gotten about 37 percent of the earmarks. Here, appropriators and other highly ranked Members have gotten 63 percent. Of the $75 million total, 63 percent of the earmarks are received by just 27 percent of the Members in this body.

Now, again, do those 27 percent know their districts better than others? I would suggest not. It's just that they're in a position to get these earmarks. So all of this hifalutin language about, you know, ''we know our districts'' means just this: ''I'm in a position to get money for my district at the expense of others whether or not there's a Federal nexus, whether or not there's a real need.''

Let me just point out that, in terms of Westchester and Rockland Counties, out of all of the thousands of counties in the country, only 11 were wealthier than Westchester County in New York. Does Westchester County really need $500,000 in pre-disaster mitigation earmarks at the expense of some poor county somewhere else in the country? This earmarking, as we all know, has gotten completely, completely out of control.

Let me just go to a couple of other charts. One of the other often used justifications for earmarks is that we as the legislative branch have the power of the purse. Article I gives us the power of the purse. That is certainly true. That is often taken as justification for doing the earmarking that we currently do, for the contemporary practice of earmarking. Well, at my request, I asked CRS to actually look and see what the Appropriations Committee has been doing over the past several years as the practice of earmarking has really grown.

As you can see, from the 104th Congress to the 109th Congress, this is the line here. This is earmarking. We've gone from about 1,500 earmarks up to nearly 10,000 just on this chart, but when you look at the number of witnesses called before the Appropriations Committee for a hearing to actually look at what we're spending, that line goes down. That line is in the blue.

So what we're seeing is that, as earmarking has grown, real oversight has declined any way you look at it. If you want to look at numbers of witnesses, some people will say, well, you can't tell everything from that. I concede that.

So let's look at the number of days of hearings. Here in the blue, from the 104th Congress to the 109th, we've had a decline in the number of days of hearings, yet a huge increase in earmarking.

Keep in mind that another justification for earmarking is people will say, well, that only represents about 2 percent of the Federal budget. We ought to really worry about the rest of the budget, not just earmarking. Well, that's true. We should worry about the rest of the budget, but because of earmarking, we simply aren't.

Now, I would suggest the reason that there are fewer days of hearings and that the reason the number of witnesses has declined and that also the number of survey and investigation staff reports has declined as earmarks have grown is we simply don't have the time or the resources or the inclination, frankly, on the Appropriations Committee to actually do real oversight.

So, for getting just a couple percentage points of all of the Federal spending designated to earmarks, we really give up the power of the purse that we have. That's why we've seen other spending, all discretionary spending, grow by leaps and bounds as we've had earmarking go up; we simply don't look at the rest of the spending.

We all know that the party that is now in the majority has made a lot of hay over the past couple of years that, in this Congress, there was a culture of corruption. If that were the case, certainly earmarks were the currency of corruption. That continues. It simply opens up too many opportunities when Members of Congress can without real oversight write checks to people from home, either to campaign contributors or to constituent groups or to anybody. Unless we really come on the floor and do real oversight, this is going to happen. When you have a process like it looks like we're going to have this year where we don't even have appropriations bills on the floor where we can challenge these earmarks, these earmarks go unchallenged.

That, Mr. Speaker, I think, is certainly unacceptable. This body deserves better. We have a great and storied institution here, and we have a time-honored process of authorization, appropriation and oversight. We have skirted that for the past several years. Those in power now might point out, from the 104th Congress to the 109th, that was all under Republican rule. That is true. But the trend has not changed since we've had the new majority.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 15 minutes a.m.), the House stood in recess until 10 a.m.

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AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SALAZAR) at 10 a.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

As the 110th Congress, we approach You as the source of all enlightenment for our endeavors, Father of Light. We look to You for the very best gift, the perfect gift to discern the present and prepare for the future.

Facing the concerns of the Nation, we look to You to guide, protect and elevate Your people. You do not take away our problems nor the conflicts of resolve. Instead, by our dealing with them, You draw from us a greater good and a lasting peace.

Because You have made us and in Your revealed love brought us to true freedom, we need not act as in the past, nor according to the dictates of others, or our own compulsions. As a free people, we can act anew and be creative enough to do what is proper for our times.

In America we can say: You are ''God with us'' now and forever.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Pennsylvania (Mr. ALTMIRE) come forward and lead the House in the Pledge of Allegiance.

Mr. ALTMIRE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

DISPENSING WITH CALL OF PRIVATE CALENDAR ON TODAY

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that the call of the Private Calendar be dispensed with today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

NOTHING IS MORE IMPORTANT THAN THE TRUTH

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. This afternoon I will move to refer an Article of Impeachment to the Judiciary Committee.

People ask me, don't we have more important things to do? Think about this. This war has cost us our constitutionally guaranteed civil liberties. Is there something more important?

The Iraq war will eventually cost between two and $3 trillion, meaning every American family will pay upwards of $30,000 for this war. The war has contributed substantially to higher gas prices. Is there something more important?

Over 4,100 of our troops have died, and as many as 1 million innocent Iraqis have perished. Is there something more important?

There was never any proof that Iraq constituted an imminent threat to our national security, or that Iraq had the capability or intention of attacking the United States. Iraq had nothing to do with 9/11 or al Qaeda's role in 9/11. Yet Congress was led to believe otherwise.

The Bible says, ''You shall know the truth and the truth shall set you free.'' Congress must know the truth in order for our Nation to remain free. In a free Nation nothing is more important than the truth.

GOOD WAR—BAD WAR

(Mr. KIRK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIRK. Mr. Speaker, successful counterterror programs teach that to win, you must attack both terrorists and their money. Through Congress' partisan lens, Iraq is the bad war, while Afghanistan is the good war. Our partisan lens will not recognize good news from Iraq or bad news from Afghanistan.

In Afghanistan, the Taliban is back, funded by billions from heroin. The U.N. reports that in 2008, Afghanistan is now also the top producer of hashish. Money from heroin and now hashish total hundreds of millions, if not billions.

In sum, the Taliban's drug profits now may equal the operations budget of General McKiernan and his NATO Army.

The hot issue today is a possible surge of troops to Afghanistan. I will sound a note of caution that without aerial spraying and other counterdrug programs that worked in Colombia, such an Afghan move will only accelerate violence between two very well-funded opponents.

To turn the rising Taliban tide, we must attack both heroin and hashish in the narco-state that is Afghanistan.

OFFSHORE DRILLING AND GAS PRICES

(Mrs. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY of New York. Mr. Speaker, yesterday the President announced that he is lifting the executive order that prevents Big Oil from drilling off of the treasured coastline of America.

What will this do to lower gas prices any time soon? Nothing. And nothing is exactly what the administration has been doing for the past 7 years as gas prices have nearly tripled.

By contrast, Democrats in Congress have been working on bringing down prices at the pump. We passed the first fuel efficiency standards in 32 years, and are supporting the movement to alternative fuels.

We want to help families now by releasing oil from the Strategic Petroleum Reserve and forcing big oil companies to start drilling on the 311 acres that are open for development now, or the 68 million acres that are under lease now for development.

Mr. Speaker, if domestic drilling can bring relief to American families, what are the big oil companies waiting for? Drill on those 311 acres and those 68 million acres under lease.

NATIONAL PAPERS FAVOR OBAMA

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, the New York Times and the Washington Post are two influential national newspapers. Their articles are reprinted in hundreds of other publications, and television newscasts often repeat their stories.

I was curious how the Times and the Post were treating the two major party presidential candidates, so I looked at their front page coverage. The results may be of interest to voters who expect fair and objective reporting.

From June 28 through July 14, the papers wrote far more stories about Senator OBAMA than Senator MCCAIN. And while most of the 15 articles about Senator OBAMA were positive, not a single one of the nine articles about Senator MCCAIN was positive. That is a huge slant in favor of Senator OBAMA.

Surely voters deserve balanced coverage of the presidential candidates. And surely the media has a responsibility to provide it.

BRING DOWN PRICES AT THE PUMP TODAY

(Mr. ALTMIRE asked and was given permission to address the House for 1 minute.)

Mr. ALTMIRE. Mr. Speaker, Americans everywhere are fed up with paying high gas prices. For 8 days, Americans have been asking President Bush to release oil from the Strategic Petroleum Reserve, a move that has brought down prices at the pump in the past. But the President continues to say no.

In 1990, when the President's father withdrew oil from the reserve, the impact on prices was immediate, and they dropped 33 percent in 2 days. In 2000, President Clinton did the same, and prices fell before oil even hit the market. And in 2005, when this President Bush made the move, the price of oil dropped again.

Now the White House claims it won't lower prices but history proves that action to release oil from the Strategic Petroleum Reserve provides immediate relief to American consumers.

Mr. Speaker, when it comes to the pain our families are experiencing at the pump and in the economy today, there is simply no time to wait. Action is needed now, and we call on President Bush to stand up for consumers and utilize the Strategic Petroleum Reserve.

LIFT CONGRESSIONAL BAN ON ENERGY EXPLORATION

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, yesterday President Bush announced that he would be lifting the executive branch moratorium on offshore exploration for oil and natural gas. I applaud the President's actions.

House Republicans have offered a plan to expand offshore and onshore energy supply with conservation. This is part of our comprehensive approach to lowering energy prices and reducing our dependence on foreign oil.

I hope my colleagues on the other side of the aisle will join House Republicans and the American people in calling for an immediate lifting of the congressional ban on offshore drilling.

We need to invest in future alternatives to oil, but until we find a viable, affordable alternative energy source that can move our cars and transport American commerce, we need to expand exploration of American-made oil and natural gas, particularly when we have the tools and know how to do it in an environmentally sound way.

In conclusion, God bless our troops, and we will never forget September the 11th.

FORECLOSURES

(Mr. CARDOZA asked and was given permission to address the House for 1 minute.)

Mr. CARDOZA. Mr. Speaker, I rise today to express my concern for the devastating toll the housing crisis is taking on the neighborhoods of my district and throughout the country.

A report issued this week identified three cities in my district as having the highest rates of foreclosure in the entire Nation. In Stockton, Merced and Modesto, California, families are struggling to make increasing mortgage payments. Homeowners have lost over 40 percent of their homes' equity and communities are burdened with vacant, deteriorating housing. These vacant properties lower home values, attract vandalism and pests and contribute to overall neighborhood decline, as well as disrupting the family unit. At this rate, my district and communities across the country will be recovering from the foreclosure epidemic for years to come.

Borrowers and lenders have a duty to their country to help us overcome this housing crisis. Homeowners should try to work with banks instead of abandoning their homes. And financial institutions must restructure mortgages whenever feasible.

During the Great Depression, families and banks worked together to help America through these tough times. I urge us to get back to that attitude.

PUT THE PLAN IN MOTION AND PASS ENERGY LEGISLATION

(Mr. BARRETT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BARRETT of South Carolina. Mr. Speaker, American families have been bracing from an energy problem for the past few months which has turned into an energy crisis. I have heard constituents loud and clear about their concern that leaders in D.C. were not listening. I heard their voices, and my Republican colleagues and I continued to come to the floor and ask the Democrat majority for their energy plan.

When our floor speeches were continuously met with silence in the absence of a Democrat energy plan, I too began to wonder if our leaders were listening.

Thankfully, the problem was recognized and addressed by our executive branch of government. I applaud President Bush's decision yesterday to lift the Federal moratorium on offshore drilling. Congress needs to move swiftly to pass legislation to implement this now that the President has decided to lift the ban. Let's work quickly together and efficiently to craft and pass legislation that will work toward providing short-term and long-term solutions. It is up to us now, as Members of Congress, to do what is right for the citizens, to put the plan in motion, and pass energy legislation.

REDUCE THE PRICE OF GAS NOW

(Mr. ISRAEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ISRAEL. Mr. Speaker, I have finally figured it out. I have finally figured out why this administration and many of its Republican allies refuse to release oil from the Strategic Petroleum Reserve and all they want to do is drill, drill, drill, drill. I've figured it out.

Every time oil has been released from the Strategic Petroleum Reserve, the price of oil has fallen, each and every time. This administration has refused our demands that it do the same now, when we are in an emergency and has said, I would rather drill.

But its own Department of Energy analysis said, and I quote, ''Drilling would not have a significant impact on domestic crude oil and natural gas production or prices before 2030.''

I figured it out. In 8 years, this administration has enabled oil company profits to go from $39 billion to $116 billion. Think about what those profits will go to in the next 22 years. That is what this is about.

This administration wants to give oil companies more time to reap larger profits, and refuse to give the American people the price relief they need by releasing oil from the Strategic Petroleum Reserve and reducing the price of gas now.

COMPREHENSIVE ENERGY REFORM

(Mr. LATTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LATTA. Mr. Speaker, President Bush's action yesterday to lift the ban on Outer Continental Shelf drilling is an important step towards a comprehensive energy plan that the American public is demanding from Congress.

Many other countries, including China, Brazil and India allow similar exploration off their coastlines. With an estimated 86 billion barrels of oil and 420 trillion cubic feet of natural gas off our own coastline, it is only logical that the United States allow similar action.

But as we know, there is no one single fix for our energy crisis. Congress must act and enact a comprehensive energy reform plan that encompasses alternative and renewable energy, in addition to the recovery and refinement of our own domestic resources, all while expanding our conservation efforts.

Our constituents have made it clear that this is the type of comprehensive energy reform they want, and we must give it to them.

□ 1015

SUPPORT COMPREHENSIVE IMMIGRATION REFORM

(Mr. BACA asked and was given permission to address the House for 1 minute.)

Mr. BACA. Mr. Speaker, I speak on behalf of immigrants. In the midst of our energy crisis, gas prices, and housing crisis in the United States, there are those who continue to positively contribute to our economy. Immigrants throughout history have come to this Nation with a hunger for success in the American dream, to provide for a family, and have their kids obtain an education. And many of them are working two to three different jobs contributing to our country at stores, restaurants, and gas stations.

Immigrants often live near their establishments, are avid sponsors for local Little League, soccer, schools, and churches. Our country has always welcomed immigrants. Let's remember that we need comprehensive immigration reform for those who positively contribute to our local communities.

I urge my colleagues to support comprehensive immigration reform.

A COMMON LANGUAGE

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, there are those who now proclaim that our children be required to learn Spanish. Mr. Speaker, I thought English was the national language. Up until recently, almost all immigrants that came to America learned the language, English. That included the Germans, Dutch, French, Chinese, Japanese, Vietnamese, South Asians and on and on.

So why the push to require Americans to learn Spanish? Why not Chinese? More people in the world speak Chinese than any other language, or German. According to the Census Bureau, more Americans, including my family, claim German ancestry over any other heritage. But when our Forefathers debated this language issue years ago, English won out over German.

It seems to me that it's logical that in the U.S. we ought to speak at least the same language, English. And if people want to speak an additional language, let them choose, not the government, which language to speak.

It doesn't seem too much to require people that come to America that they work, follow the law, and learn the common language. Otherwise, we will become a community of nations, rather than a Nation of communities.

Und das ist nur die Art, wie es ist.

ACTIONS TO REDUCE GAS PRICES

(Ms. SPEIER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SPEIER. Mr. Speaker, despite what Senator MCCAIN's top economic adviser believes, Americans are not whining when they express concern about today's economy. With two oil men in the White House, gas prices have nearly tripled and Big Oil's profits have skyrocketed. The President's action to lift the offshore drilling ban does nothing to lower gas prices now. In fact, his own Energy Information Administration says it will not affect gas prices for nearly 20 years, and even then it will only drop the cost of a gallon of gas by two pennies.

Mr. Speaker, Americans are hurting now and cannot wait 20 years. That's why House Democrats continue to urge the President to release our oil from the Strategic Petroleum Reserve, an action that is not new nor untested and has proven to reduce prices at the pump immediately.

Additionally, I would like us to consider setting a national speed limit at 60 miles per hour. That would reduce the cost of gas by 30 cents a gallon.

DRILL IN AMERICA AND BRING DOWN THE PRICE OF GAS

(Mr. CULBERSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CULBERSON. Mr. Speaker, I want to urge the Speaker of the House to join with our leader, JOHN BOEHNER, in lowering the price of gasoline. They can do it immediately simply by holding a press conference and announcing we're going to work together in a nonpartisan way for the good of America to open up domestic energy sources by drilling in the United States. We're the only Nation on the face of the Earth that will not use our own natural resources. This is just fundamental common sense. Schlumberger and Shell have said that there is more shale oil in three Western States than all the oil in the Middle East combined.

We could open up the Arctic National Wildlife Reserve. Congress now can move, and in a bipartisan way, to bring down the price of oil simply by announcing we're moving to open up these domestic sources. The marketplace will respond and the price of gas and the price of oil will drop. This is so simple, it's so easy, it's so good for America.

Let's all stand together without regard to party for the benefit of this Nation, which is hurting so much from high gas prices, and say we are going to use American resources for America to create good, high-paying American jobs.

Drill in America in a safe, environmentally clean way, and bring down the price of gas today.

MEDICARE LEGISLATION

(Ms. SOLIS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SOLIS. Good morning to my colleagues.

As you recall, last month before the House adjourned for the July 4th recess, we passed legislation that would treat seniors and the disabled through Medicare. The legislation passed with strong bipartisan support with Democrats and Republicans recognizing the need to pass this legislation. Last week, the Senate finally followed our lead and passed the bill. Senator KENNEDY courageously returned to Capitol Hill to lodge that vote.

The legislation is now sitting on the President's desk. He has a decision to make. Will he side with private insurers or will he support seniors and the disabled? A veto-proof majority in the House and Senate has now passed legislation that strengthens Medicare and ensures our seniors and disabled that they have access to a doctor that they know and trust.

Mr. Speaker, President Bush should drop his veto threat and join our Members in the House in support of legislation that puts seniors first and the disabled and strengthens a great program known as Medicare. He should sign the Medicare legislation as soon as possible.

THE UNITED STATES MUST DIVERSIFY ITS ENERGY PORTFOLIO

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, the Democrat majority in this House is just refusing to bring forth any legislation that will deal with the price at the pump. I think that they are content to have their constituents either ride a bike or walk to get where they want to go. In my Seventh District of Tennessee, that does not work.

What they might not know is that what we see happening at the pump is happening in every single energy sector. Tennesseeans and Americans are paying more than ever for their gasoline, their groceries, and naturally to heat and cool their homes. It's bad enough during the summer driving months, but what my friends across the aisle might not know is that utility officials in Memphis have projected a 30-percent spike in the cost of natural gas for this fall. That is on top of a 13½ percent increase last fall.

This Congress must take action and the United States must diversify its energy portfolio and incentivize all types of energy production: Oil, natural gas, geothermal, hydroelectric, nuclear. It's all there.

The energy crisis affects everyone, Mr. Speaker. It is time for action.

RELEASE OIL FROM THE STRATEGIC PETROLEUM RESERVE FOR IMMEDIATE RELIEF AT THE PUMP

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, we've heard on both sides today arguments about the energy crisis. The fact is these arguments are why Congress is held in such low esteem. There are just a couple of things that can be done immediately to help people with the price at the pump, and the major thing that can be done is releasing oil from the Strategic Petroleum Reserve. That's been a proven success with President Bush I, President Clinton, and even this President Bush, and yet he refuses.

Why does he refuse? Because it would hurt the profits of the oil companies. And who gave us this President and this Vice President? The oil companies. This is government of the oil companies, by the oil companies, and for the oil companies. And the people of my district are tired of paying this high price.

Twenty years drilling, you might as well think about your child being born today and planning to see them have a car that gets 80 miles to the gallon in 20 years because that's when the oil that might be pumped today in the Outer Shelf would come to be. Immediate relief is releasing oil from the Strategic Petroleum Reserve.

Mr. President, I urge you to have compassion for the Americans who can't afford this price of oil.

THE ENERGY SITUATION REQUIRES A THREE-LEGGED STOOL

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, it's interesting to hear the Democrats flail around for reasons that they won't put energy issues on the floor. I agree with the preceding speaker. Let's talk about the Strategic Petroleum Reserve. Let's talk about offshore drilling. We haven't moved a single appropriation bill because of the fear that we may have an amendment on offshore drilling.

Now the President has lifted his ban, and what we hear from the Democrats is it will take 10 years, it will take 20 years. It means two things: number one, they agree there's oil out there; number two, there's a discussion about how long it will take.

But my question to them is where are your electric cars? Where are your hybrids that suddenly are going to save us? Those are also going to be 10 years down the road.

We need to put it all on the table. We need to look at conservation, we need to look at alternative energy, and we need to drill. It is that simple. You have got to have a three-legged stool to answer the energy situation. And I don't know why the Speaker of the House is afraid to put it on the floor. That is right. There will not be a debate on it because the Democrats are afraid to put it on the floor.

I say let's have an up-or-down vote on all of these issues.

A GOVERNMENT OF, BY, AND FOR THE OIL COMPANIES

(Mr. MORAN of Virginia asked and was given permission to address the House for 1 minute.)

Mr. MORAN of Virginia. Mr. Speaker, you know, when you listen to the Bush White House and our Republican friends, you really do get the impression that this is a government of, by, and for the oil companies. And in fact, maybe it is. I mean, after all, President Bush was the founder of Bush Oil Exploration. He was a paid board member of several oil exploration companies. Vice President CHENEY is the former CEO of Halliburton, the world's largest oil services company. He's made millions off Halliburton stock while he's been in office.

Newsweek, in fact, at the beginning of the Bush administration, identified 11 key decision makers in the energy policy area that had worked for or lobbied for the energy industry. And in fact when Vice President CHENEY put together his energy transition team, 50 members were from the big corporate energy companies. None was from renewable energy organizations. Maybe that's why the Bush administration has cut renewable energy programs by 27 percent, including a 54 percent cut in solar energy.

There are many reasons why we're in this situation, Mr. Speaker, and one big reason is the background and the priorities of the President and Vice President.

HOUSING MARKET MELTDOWN

(Mr. MCNERNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCNERNEY. Mr. Speaker, I represent the city of Stockton, California, which suffers from the highest foreclosure rates in the country. I have seen exactly how devastating this problem is for communities, and more important, for the families in our district. I hear all too often the heartbreaking stories of people struggling to keep up. In fact, Mr. CARDOZA, who spoke a minute ago, and I have had foreclosure workshops to provide counseling to help families refinance and stay out of foreclosure.

Our current economic crisis, including the housing market meltdown, can financially devastate many people, and we need change right now so that hardworking American families can stay in their homes. We need to reform the system by raising the conforming loan limits and providing critical relief to hardworking families.

I strongly believe that we can help provide the breathing room that families need so they not only weather the downturn, but come back stronger than ever.

BIG OIL DOESN'T NEED MORE LAND TO DRILL

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, while gas prices continue to soar, Democrats are looking for real solutions to give Americans relief at the pump. We aren't repeating the same rhetoric day after day about opening up our pristine lands and waters to drilling only to save pennies per gallon in 20 years. Instead, we've offered energy solutions for today and for the future.

We pressured the President to stop sending more oil to the Strategic Petroleum Reserve, which could save about 25 cents per gallon at the pump. We also passed legislation cracking down on price gouging. And now we're calling on President Bush to begin releasing oil from the Strategic Petroleum Reserve.

After 7 years of the Bush-Cheney energy policy, written by and for an oil industry raking in record profits, a plan to transition America to a new and more affordable energy future is long overdue. The American people are suffering now and are looking for solutions today. Republicans say we need to open more land for drilling, but the average American family will spend $57,800 on gas before that drilling saves them a penny.

Mr. Speaker, House Republicans need to stop looking to the past for solutions to today's problems.

MIDDLE CLASS CONTINUES TO GET SQUEEZED AS ECONOMIC SITUATION GETS WORSE

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, for 7 years now, President Bush and Republicans have catered to the excesses of the wealthiest few while ignoring real needs of working Americans. Over the past 6 years, the median household income has fallen over $1,000 per year while prices for health care, education, food, and gas have increased well above inflation. How can we expect working men and women to continue to meet the financial needs of their families when they bring home smaller paychecks as prices rise?

The Democratic Congress has been working hard to ensure that working Americans are not ignored. We passed an economic stimulus package that puts money into the wallets of working families. We've also passed legislation addressing the concerns of millions of Americans, including many of those from my home State of New Jersey, who are afraid of losing their jobs or are afraid they might lose their homes.

Senator MCCAIN's chief economic adviser claims that Americans are whining, that the economic downturn is all in their heads. House Democrats realize that we need to turn the Bush economy around.

□ 1030

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

NASA 50TH ANNIVERSARY COMMEMORATIVE COIN ACT

Mr. AL GREEN of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6455) to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the establishment of the National Aeronautics and Space Administration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6455

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''NASA 50th Anniversary Commemorative Coin Act''.

SEC. 2. FINDINGS.

The Congress finds that—

(1) the National Aeronautics and Space Administration began operation on October 1, 1958, with about 8,000 employees and an annual budget of $100,000,000;

(2) over the next 50 years, the National Aeronautics and Space Administration has been involved in many defining events which have shaped the course of human history and demonstrated to the world the character of the people of the United States;

(3) among the many firsts by the National Aeronautics and Space Administration are that—

(A) on December 6, 1958, the United States launched Pioneer 3, the first United States satellite to ascend to an altitude of 63,580 miles;

(B) on March 3, 1959, the United States sent Pioneer 4 to the Moon, successfully making the first United States lunar flyby;

(C) on April 1, 1960, the United States launched TIROS 1, the first successful meteorological satellite, observing Earth's weather;

(D) on May 5, 1961, Freedom 7, carrying Astronaut Alan B. Shepard, Jr., was the first American space flight involving human beings;

(E) on February 20, 1962, John Glenn became the first American to circle the Earth, making 3 orbits in his Friendship 7 Mercury spacecraft;

(F) on December 14, 1962, Mariner 2 became the first spacecraft to commit a successful planetary flyby (Venus);

(G) on April 6, 1965, the United States launched Intelsat I (also known as Early Bird 1), the first commercial satellite (communications), into geostationary orbit;

(H) on June 3 through 7, 1965, the second piloted Gemini mission, Gemini IV, stayed aloft for 4 days, and astronaut Edward H. White II performed the first EVA or ''spacewalk'' by an American;

(I) on June 2, 1966, Surveyor 1 became the first American spacecraft to soft-land on the Moon;

(J) on May 31, 1971, the United States launched Mariner 9, the first mission to orbit another planet (Mars) beginning November 13, 1971;

(K) on April 12, 1981, the National Aeronautics and Space Administration launched the Space Shuttle Columbia on the first flight of the Space Transportation System (STS–1);

(L) on June 18, 1983, the National Aeronautics and Space Administration launched Space Shuttle Challenger (STS–7) carrying 3 mission specialists, including Sally K. Ride, the first woman astronaut;

(M) in another historic mission, 2 months later, the National Aeronautics and Space Administration launched STS–8 carrying the first black American astronaut, Guion S. Bluford; and

(N) on July 23, 1999, the Space Shuttle Columbia's 26th flight was led by Air Force Col. Eileen Collins, the first woman to command a Shuttle mission;

(4) on April 9, 1959, the National Aeronautics and Space Administration unveiled the Mercury astronaut corps, 7 men with ''the right stuff'': John H. Glenn, Jr., Walter M. Schirra, Jr., Alan B. Shepard, Jr., M. Scott Carpenter, L. Gordon Cooper, Virgil I. ''Gus'' Grissom, and Donald K. ''Deke'' Slayton;

(5) on May 25, 1961, President John F. Kennedy, reflecting the highest aspirations of the American people, proclaimed: ''I believe this Nation should commit itself to achieving the goal, before this decade is out, of landing a man on the Moon and returning him safely to Earth. No single space project in this period will be more impressive to mankind, or more important in the long-range exploration of space; and none will be so difficult or expensive to accomplish.'';

(6) on September 19, 1961, the National Aeronautics and Space Administration announced that the National Aeronautics and Space Administration center dedicated to human space flight would be built in Houston, Texas;

(7) on February 17, 1973, the Manned Spacecraft Center in Houston was renamed the Lyndon B. Johnson Space Center;

(8) on December 21, 1968, Apollo 8 took off atop a Saturn V booster from the Kennedy Space Center for a historic mission to orbit the Moon;

(9) as Apollo 8 traveled outward, the crew focused a portable television camera on Earth and for the first time humanity saw its home from afar, a tiny, lovely, and fragile ''blue marble'' hanging in the blackness of space;

(10) this transmission and viewing of Earth from a distance was an enormously significant accomplishment and united the Nation at a time when American society was in crisis over Vietnam, race relations, urban problems, and a host of other difficulties;

(11) on July 20, 1969, Apollo 11 astronauts Neil A. Armstrong and Edwin E. Aldrin made the first lunar landing mission while Michael Collins orbited overhead in the Apollo command module;

(12) Armstrong set foot on the surface of the Moon, telling the millions of listeners that it was ''one small step for a man, one giant leap for mankind'', and Aldrin soon followed and planted an American flag, but omitted claiming the land for the United States, as had routinely been done during European exploration of the Americas;

(13) the 2 Moon walkers left behind an American flag and a plaque bearing the inscription: ''Here Men From The Planet Earth First Set Foot Upon the Moon. Jul. 1969 A.D. We Came in Peace for All Mankind.'';

(14) on April 24, 1990, the Hubble Space Telescope was launched into space aboard the STS–31 mission of the Space Shuttle Discovery, and since then, the Hubble has revolutionized astronomy, while expanding our knowledge of the universe and inspiring millions of scientists, students, and members of the public with its unprecedented deep and clear images of space;

(15) on July 4, 1997, the Mars Pathfinder landed on Mars and on January 29, 1998, an International Space Station agreement among 15 countries met in Washington, DC, to sign agreements to establish the framework for cooperation among the partners on the design, development, operation, and utilization of the Space Station;

(16) the National Aeronautics and Space Administration's stunning achievements over the last 50 years have been won for all mankind at great cost and sacrifice; in the quest to explore the universe, many National Aeronautics and Space Administration employees have lost their lives, including the crews of Apollo 1, the Space Shuttle Challenger, and the Space Shuttle Columbia;

(17) the success of the United States space exploration program in the 20th Century augurs well for its continued leadership in the 21st Century, such leadership being attributable to the remarkable and indispensable partnership between the National Aeronautics and Space Administration and its 10 space and research centers, including—

(A) from small spacecraft to supercomputers, science missions and payloads to thermal protection systems, information technology to aerospace, the Ames Research Center in California's Silicon Valley, which provides products, technologies, and services that enable NASA missions and expand human knowledge;

(B) the Dryden Flight Research Center, the leading center for innovative flight research;

(C) the Glenn Research Center, which develops power, propulsion, and communication technologies for space flight systems and aeronautics research;

(D) the Goddard Space Flight Center, which specializes in research to expand knowledge on the Earth and its environment, the solar system, and the universe through observations from space;

(E) the Jet Propulsion Laboratory, the leading center for robotic exploration of the Solar System;

(F) the Johnson Space Center, which manages the development, testing, production, and delivery of all United States human spacecraft and all human spacecraft-related functions;

(G) the Kennedy Space Center, the gateway to the Universe and world leader in preparing and launching missions around the Earth and beyond;

(H) the Langley Research Center, which continues to forge new frontiers in aviation and space research for aerospace, atmospheric sciences, and technology commercialization to improve the way the world lives;

(I) the Marshall Space Flight Center, a world leader in developing space transportation and propulsion systems that accelerate exploration and scientific discovery, including the Michoud Assembly Facility, which has been a world-class facility since 1961 for fabrication of large space structures, including the Saturn V and the Space Shuttle External Tank, and which will have a critical role in the Constellation program, including manufacturing major pieces of the Orion crew capsule, the Ares I upper stage, and the Ares V core stage; and

(J) the Stennis Space Center, which is responsible for rocket propulsion testing and for partnering with industry to develop and implement remote sensing technology;

(18) the United States should pay tribute to the National Aeronautics and Space Administration, and to its successful partnerships with the space and research centers, by minting and issuing a commemorative silver dollar coin; and

(19) the surcharge proceeds from the sale of a commemorative coin would generate valuable funding for the National Aeronautics and Space Administration Families Assistance Fund, for the purposes of providing need-based financial assistance to the families of any National Aeronautics and Space Administration personnel who lose their lives as a result of injuries suffered in the performance of their official duties, and for other worthy and important purposes.

SEC. 3. COIN SPECIFICATIONS.

(a) DENOMINATIONS.—In commemoration of the 50th anniversary of the establishment of the National Aeronautics and Space Administration, the Secretary of the Treasury (hereafter in this Act referred to as the ''Secretary'') shall mint and issue the following coins:

(1) $50 GOLD COINS.—Not more than 50,000 $50 gold coins, which shall—

(A) weigh 33.931 grams;

(B) have a diameter of 32.7 millimeters; and

(C) contain 1 troy ounce of fine gold.

(2) $1 SILVER COINS.—Not more than 300,000 $1 coins of each of the 9 designs specified in section 4(a)(3)(B), which shall—

(A) weigh 26.73 grams;

(B) have a diameter of 1.500 inches; and

(C) contain 90 percent silver and 10 percent copper.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

(d) MINTAGE LEVEL LIMIT.—Notwithstanding the mintage level limit described under section 5112(m)(2)(A)(ii) of title 31, United States Code, the Secretary may mint and issue not more than 300,000 of each of the 9 $1 coins authorized to be minted under this Act.

SEC. 4. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall be emblematic of the 50 years of exemplary and unparalleled achievements of the National Aeronautics and Space Administration.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act, there shall be—

(A) a designation of the value of the coin;

(B) an inscription of the year ''2008''; and

(C) inscriptions of the words ''Liberty'', ''In God We Trust'', ''United States of America'', and ''E Pluribus Unum'', and such other inscriptions as the Secretary may determine to be appropriate for the designs of the coins.

(3) COIN IMAGES.—

(A) $50 COINS.—

(i) OBVERSE.—The obverse of the $50 coins issued under this Act shall bear an image of the sun.

(ii) REVERSE.—The reverse of the $50 coins issued under this Act shall bear a design emblematic of the sacrifice of the United States astronauts who lost their lives in the line of duty over the course of the space program.

(iii) HIGH RELIEF.—The design and inscriptions on the obverse and reverse of the $50 coins issued under this Act shall be in high relief.

(B) $1 COINS.—

(i) OBVERSE.—The obverse of the $1 coins issued under this Act shall bear 9 different designs, each of which shall consist of an image of 1 of the 9 planets of the solar system, including Earth.

(ii) REVERSE.—The reverse of the $1 coins issued under this Act shall bear different designs, each of which shall be emblematic of the contributions of the research and space centers, subject to the following requirements:

(I) EARTH COIN.—The reverse of the $1 coins issued under this Act which bear an image of the Earth on the obverse shall bear images emblematic of, and honoring, the discoveries and missions of the National Aeronautics and Space Administration, the Mercury, Gemini, and Space Shuttle missions and other manned Earth-orbiting missions, and the Apollo missions to the Moon.

(II) JUPITER COIN.—The reverse of the $1 coins issued under this Act which bear an image of the planet Jupiter on the obverse shall include a scientifically accurate depiction of the Galilean moon Europa and depict both a past and future mission to Europa.

(III) SATURN COIN.—The reverse of the $1 coins issued under this Act which bear an image of the planet Saturn on the obverse shall include a scientifically accurate depiction of the moon Titan and depict both a past and a future mission to Titan.

(IV) PLUTO (AND OTHER DWARF PLANETS) COIN.—The reverse of the $1 coins issued under this Act which bear an image of the planet Pluto on the obverse shall include a design that is emblematic of telescopic exploration of deep space by the National Aeronautics and Space Administration and the ongoing search for Earth-like planets orbiting other stars.

(4) REALISTIC AND SCIENTIFICALLY ACCURATE DEPICTIONS.—The images for the designs of coins issued under this Act shall be selected on the basis of the realism and scientific accuracy of the images and on the extent to which the images are reminiscent of the dramatic and beautiful artwork on coins of the so-called ''Golden Age of Coinage'' in the United States, at the beginning of the Twentieth Century, with the participation of such noted sculptors and medallic artists as James Earle Fraser, Augustus Saint-Gaudens, Victor David Brenner, Adolph A. Weinman, Charles E. Barber, and George T. Morgan.

(b) SELECTION.—The design for the coins minted under this Act shall be—

(1) selected by the Secretary, after consultation with the Administrator of the National Aeronautics and Space Administration and the Commission of Fine Arts; and

(2) reviewed by the Citizens Coin Advisory Committee.

SEC. 5. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in proof quality only.

(b) MINT FACILITY.—Only 1 facility of the United States Mint may be used to strike any particular combination of denomination and quality of the coins minted under this Act.

(c) PERIOD FOR ISSUANCE.—Notwithstanding any other provision of law, including section 7(d), the Secretary—

(1) may accept orders for the coins authorized under this Act during the period beginning on January 1, 2008 and ending on December 31, 2008; and

(2) may mint and issue such coins required to fulfill such orders during the period beginning on January 1, 2008 and ending on December 31, 2009.

(d) EXCEPTION TO PROGRAM LIMITATION.—Notwithstanding any other provision of law, the minting or issuance of coins under this Act in 2009 shall not—

(1) preclude the Secretary from including a surcharge on the issuance of any other commemorative coin minted or issued in 2009; and

(2) be counted against the annual 2 commemorative coin program minting and issuance limitation under section 5112(m)(1) of title 31, United States Code.

(e) ISSUANCE OF GOLD COINS.—Each gold coin minted under this Act may be issued only as part of a complete set with 1 of each of the 9 $1 coins minted under this Act.

SEC. 6. SALE OF COINS.

(a) SALE PRICE.—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

(1) the face value of the coins;

(2) the surcharge provided in section 7(a) with respect to such coins; and

(3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

(c) PRESENTATION.—In addition to the issuance of coins under this Act in such other methods of presentation as the Secretary determines to be appropriate, the Secretary shall provide, as a sale option, a presentation case which displays the $50 gold coin in the center, surrounded by the $1 silver coins in elliptical orbits. All such presentation cases shall bear a plaque with appropriate inscriptions that include the names and dates of the spacecraft missions on which United States astronauts lost their lives over the course of the space program and the names of such astronauts.

SEC. 7. SURCHARGES.

(a) IN GENERAL.—All sales of coins minted under this Act shall include a surcharge as follows:

(1) A surcharge of $50 per coin for the $50 coin.

(2) A surcharge of $10 per coin for the $1 coin.

(3) A surcharge of $1 per coin for any bronze duplicate minted under section 8.

(b) DISTRIBUTION.—Subject to section 5134(f) of title 31, United States Code, all surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly distributed as follows:

(1) The first $4,000,000 available for distribution under this section, to the NASA Family Assistance Fund, for the purpose of providing need-based financial assistance to the families of NASA personnel who lose their lives as a result of injuries suffered in the performance of their official duties.

(2) Of amounts available for distribution after the payment under paragraph (1), ½ of the next $1,000,000 to each of the following:

(A) The Dr. Ronald E. McNair Educational (D.R.E.M.E.) Science Literacy Foundation for the purposes of improving and strengthening the process of teaching and learning science, math, and technology at all educational levels, elementary through college through the promotion of innovative educational programs.

(B) The Challenger Center for Space Science Education, for the purposes of creating positive learning experiences using space science as a theme that raise student expectations of success, fostering a long-term interest in mathematics, science, and technology, and motivating students to pursue careers in these fields.

(3) The remainder of the amounts available for distribution after the payments under paragraphs (1) and (2), to the Secretary of the Smithsonian Institution for the preservation, maintenance, and display of space artifacts at the National Air and Space Museum (including the Steven F. Udvar-Hazy Center).

(c) AUDITS.—The NASA Family Assistance Fund, the Dr. Ronald E. McNair Educational Science Literacy Foundation, the Challenger Center for Space Science Education, and the Secretary of the Smithsonian Institution shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code, with regard to the amounts received under subsection (b).

(d) LIMITATION.—Notwithstanding subsection (a), no surcharge may be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual 2 commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary may issue guidance to carry out this subsection.

SEC. 8. BRONZE DUPLICATES.

The Secretary may strike and sell bronze duplicates of the $50 gold coins authorized under this Act, at a price determined by the Secretary to be appropriate. Such duplicates shall not be considered to be United States coins and shall not be legal tender.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Texas (Mr. AL GREEN) and the gentleman from Georgia (Mr. PRICE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. AL GREEN of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous materials thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. AL GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the House leadership for allowing this most important piece of legislation to proceed expeditiously. I also thank Chairman BARNEY FRANK, the chairman of the full committee, the Committee on Financial Services, which has jurisdiction.

Mr. Speaker, I rise today in support of H.R. 6455, the NASA 50th Anniversary Commemorative Coin Act, which would require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the establishment of NASA.

I would like to thank my colleague, SHEILA JACKSON-LEE from Houston, Texas, for sponsoring this most important piece of legislation.

On October 1, 1958, the National Aeronautics and Space Administration, NASA, began operations with about 8,000 employees and an annual budget of about $100 million. Today, NASA continues its mission to pioneer the future in space exploration, in scientific technology, in aeronautics, as well as to inspire Americans of all ages and backgrounds to experience firsthand the scientific wonders of our universe.

For 50 years, NASA has been the world leader in space exploration. On December 6, 1958, the United States launched Pioneer 3, the first United States satellite to ascend to an altitude of 63,580 miles. In July 1969, NASA astronauts were the first humans to walk on the Moon. And in 1983, NASA also sent the first woman and the first African American into space. The astronauts were Sally Ride and Guy S. Bluford.

It is through NASA technology and research that our world is a much safer and well-informed place. We are blessed to have NASA as a part of the American history and a part of our great American icons.

In 1990, the Hubble Space Telescope was launched, providing helpful insight into the history and fate of our universe. And in December of 1999, Terra, the flagship of NASA's Earth-Observing System, was launched to monitor climate and environmental changes on Earth.

Telecommunications would not be what they are but for NASA. Something as simple as the microwave is a development that has come into being as a result of NASA.

It is with great pride and sincere appreciation that we commemorate NASA's 50th anniversary with a gold and silver coin that honors NASA's remarkable achievements, enlightening research, and dedicated employees.

And on the note of the employees, let me just say that NASA employees are second-to-none. They are hardworking employees who have devoted much of their lives to the research that has made our lives much better, and we, by doing this, will pay them a great deal of respect and give an expression of gratitude.

Many of NASA's employees, however, have lost their lives during space missions, including the crews of *Apollo 6*, and the Space Shuttle *Challenger*, and the Space Shuttle *Columbia*. These Americans are owed a debt of gratitude, as well as their families, and today, we want to thank them, their families, for the lives that were lost and the tribute that we will pay to them for the price that they paid to help us to explore the universe.

This is not the first time that this Congress has voted to create a NASA 50th anniversary commemorative coin program. On July 30 of last year, the House passed H.R. 2750, a bill with 296 cosponsors that would require the creation of such a program. I was proud to be a cosponsor. The final vote of passage on the bill was 402–0.

Recently, the Senate passed an amended Senate version of H.R. 2750 on June 19 of this year.

As a result of the constitutional requirement that revenue-raising bills originate in the House, it was necessary to reintroduce the Senate bill as a new House bill. This bill, H.R. 6455, adopts the language of the Senate-amended bill.

Again, I thank my colleague SHEILA JACKSON-LEE for introducing this bill. I urge my colleagues to support it.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, July 11, 2008.

Hon. BARNEY FRANK,
Chairman, Financial Services Committee, Washington, DC.

DEAR BARNEY: I am writing regarding H.R. 6455, the ''NASA 50th Anniversary Commemorative Coin Act.''

As you know, the Committee on Ways and Means maintains jurisdiction over bills that raise revenue. H.R. 6455 contains a provision that establishes a surcharge for the sale of commemorative coins that are minted under the bill, and thus falls within the jurisdiction of the Committee on Ways and Means.

However, as part of our ongoing understanding regarding commemorative coin bills and in order to expedite this bill for Floor consideration, the Committee will forgo action. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of Conferees or its jurisdictional prerogatives on this bill or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 6455, and would ask that a copy of our exchange of letters on this matter be included in the record.

Sincerely,

CHARLES B. RANGEL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, July 14, 2008.

Hon. CHARLES B. RANGEL,
Chairman, Committee on Ways and Means, U.S. House of Representatives, Washington, DC.

DEAR CHARLIE: I am writing in response to your letter regarding H.R. 6455, the ''NASA 50th Anniversary Commemorative Coin Act,'' which was introduced in the House and referred to the Committee on Financial Services on July 11, 2008. It is my understanding that this bill be scheduled for floor consideration shortly.

I wish to confirm our mutual understanding on this bill. As you know, section 7 of the bill establishes a surcharge for the sale of commemorative coins that are minted under the bill. I acknowledge your committee's jurisdictional interest in such surcharges as revenue matters. However, I appreciate your willingness to forego committee action on H.R. 6455 in order to allow the bill to come to the floor expeditiously. I agree that your decision to forego further action on this bill will not prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this or similar legislation. I would support your request for conferees on those provisions within your jurisdiction should this bill be the subject of a House-Senate conference.

I will include this exchange of letters in the Congressional Record when this bill is considered by the House. Thank you again for your assistance.

BARNEY FRANK,
Chairman.

I reserve the balance of my time.

Mr. PRICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 6455, the NASA 50th Anniversary Commemorative Coin Act. I want to thank the chairman of the Financial Services Committee, Mr. FRANK, for his willingness to bring this bill to the floor.

This is an easy bill to understand. What is a little difficult to fathom is why this bill has been so star-crossed, pun intended. The gentleman from Texas (Mr. CULBERSON) proposed this idea first several Congresses ago, and the House has passed it several times in substantially the same form, this year with the help of the gentlelady from Texas (Ms. JACKSON-LEE).

For reasons that aren't clear, it has always had a harder time escaping the gravitational pull of the other body; although, it's always had support. This year, the Senate acted but sent back a Senate-numbered bill with some minor amendments, and since the bill contains a revenue provision and thus has to be a House-numbered bill to go to the President, we are sending the Senate-amended language to them in this bill.

Mr. Speaker, the gentleman from Texas (Mr. CULBERSON) speaks eloquently about the importance of the space program to the American economy, to United States national security, and to the advancement of science, and I'm honored to yield to my

friend from Texas at this time for such time as he may consume.

(Mr. CULBERSON asked and was given permission to revise and extend his remarks.)

Mr. CULBERSON. Mr. Speaker, I want to thank my colleagues. Our pride and support for NASA is, indeed, bipartisan. Without regard to where we come from in this Nation or our party origins, we share that great pride in the accomplishments of the National Aeronautics and Space Administration. They've touched our lives in so many ways. I have always admired NASA, particularly as an amateur astronomer, as a native Houstonian.

Mr. PRICE is right. I have passed this bill the last two Congresses, and for whatever reason, it has had problem escaping the gravitational pull of the Senate. And with the help of my good friend, AL GREEN, and Congresswoman SHEILA JACKSON-LEE we passed it again this year.

This is going to be a remarkable and beautiful coin set that will contain a $50 high relief gold coin commemorating the lives lost in space. Those astronauts who gave their lives will be honored and recognized in that $50 high relief gold coin, with on the front coin a scientifically accurate image of the Sun and the reverse, a design commemorating those astronauts' sacrifice.

The other coins will represent each one of the planets in the solar system, with the front of the coin with a scientifically accurate image of that planet and then the reverse of the coin with a design honoring the NASA flight center that was responsible for missions to that planet.

And then, of course, now that Pluto has been called a dwarf planet, the Pluto coin will have a reverse that honors the Hubble telescope and the Goddard Space Flight Center and the remarkable achievements of the Hubble telescope.

The proceeds of this coin will go to fund the NASA Families Assistance Fund. Those families who have lost a loved one in the space program will benefit directly from the sale of these coins.

The Ronald McNair Education Science Literary Foundation will benefit from the sale of these coins. The Challenger Center for Space Science Education to increase interest in math, science and technology will benefit from the sale of this coin. And then finally, the Smithsonian Institute, National Air and Space Museum, will benefit from the sale of this coin.

And because of the difficulties with the gravitational pull of the Senate, as my friend Mr. PRICE so eloquently points out, because this authorization bill is coming out a little late this year, the changes the Senate made are good ones, and that is to allow the Mint to sell the coins this year through December 31 of 2008, but to continue to mint them through next year so that people will have a chance to order them and the Mint will have plenty of time to complete the designs and to market them.

It is going to be a beautiful set that the Mint estimates will raise a great deal of money for the benefit of the families, the benefit of these educational funds, and for the benefit of the National Air and Space Museum.

I'm very grateful to my colleagues from Texas, Congresswoman SHEILA JACKSON-LEE, my good friend AL GREEN, and my good friend Congressman TOM PRICE of the Georgia delegation, next to Texas my favorite delegation in the United States Congress.

Mr. AL GREEN of Texas. I yield myself 1 minute.

Mr. Speaker, I'd like to thank Mr. PRICE. He and I worked together on the Financial Services Committee. I thank him for his dedication and devotion.

I'd like to thank my colleague and friend from Houston, Texas (Mr. CULBERSON) for his outstanding service on this bill as well. This is truly a bipartisan piece of legislation.

At this time, I'm honored to yield to the sponsor of the legislation, Ms. SHEILA JACKSON-LEE, as much time as she may consume.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Let me thank my colleague Mr. GREEN for his outstanding leadership on the Financial Services Committee in the management of this bill.

Let me also thank his co-manager on the floor as well, and I'd like to thank the chairman of the Financial Services Committee and his ranking member. Chairman FRANK has been a champion of this legislation. His staff and the Financial Services Committee has been a supporter as we have made our way from the House, through the committee process, through the Senate, back to the House, and now back to the Senate.

I think it's important to note that the House has the ability to legislate on revenue matters, and it is important as we pass this legislation for it to pass quickly in the Senate in order for this very worthy acknowledgment of the NASA 50th Anniversary Commemorative Coin Act.

I'm delighted to be the original cosponsor and author of this legislation, joined with my colleague Congressman JOHN CULBERSON. I want to congratulate him and congratulate his staff. He has worked over a number of sessions, and we have collaborated on an institution that we've seen grow and thrive and improve over the years.

This particular legislation is a commemoration of the 50 years of NASA. The year 2008 will mark the 50th anniversary of the creation of the National Aeronautics and Space Administration, NASA. This important legislation celebrates NASA's 50th birthday with a commemorative coin. The legislation also honors extraordinary partnerships between NASA and its 10 space and research centers.

As a long-standing member of the Science Committee, I had the opportunity to visit most of NASA's space and research centers, and I hope as we stand on the floor today, each and every one of them, wherever they are located, will view this as a special tribute to them.

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This reflects the distinguished history of NASA. The United States of America won the race to land a man on the moon and subsequently had the opportunity to have women in space. And thanks to the courage, dedication and brilliance of NASA, America has continued to lead the world in the exploration of the solar system and the universe.

On October 1, 1958, the National Aeronautics and Space Administration began operation. At the time, it consisted of only about 8,000 employees and an annual budget of $100 million. Over the next 50 years, NASA had been involved in many defining events which helped to shape human history. We consider the astronauts our heroes. And I've always enjoyed saying that at my annual Christmas party with 3,000 youngsters, the astronauts are more popular than Santa Claus.

Many of us remember how inspired we were when on May 25, 1961, President John F. Kennedy proclaimed, ''I believe this Nation should commit itself to achieving the goal, before this decade is out, of landing a man on the moon and returning him safely to Earth.'' We all know the phenomenon of ''The Right Stuff,'' the courageous men who first went into space. ''No single space project in this period will be more impressive to mankind, or more important for the long-range exploration of space; and none will be so difficult or expensive to accomplish'' as President Kennedy said as he referred to landing a person on the moon.

Always at the forefront of technological innovation, NASA has been home to countless ''firsts'' in the field of space exploration, from the 1958 launch of Pioneer 3, the first U.S. satellite to ascend to an altitude of 63,000 miles, to the January 1998 signing of the International Space Station agreement between 15 countries, establishing the framework for cooperation among partners on the design, development, operation and utilization of the Space Station.

Over the past 50 years, NASA's accomplishments have included many. I think it is important, Mr. Speaker, to note that many who have gone to the Space Station—and I'm putting in my reservation—have indicated that it is massive, it is enormous, it is powerful, it is impressive, it is as large as a football field. That is the genius of America. And this is the genius that we celebrate by this commemorative coin.

I note, very briefly, on February 20, 1962, John Glenn became the first American to circle the Earth.

Briefly, on April 6, 1965, the United States launched Intelsat I, the first commercial satellite.

On November 13, 1961, the United States launched Mariner 9, the first mission to orbit another planet, that was Mars.

On April 12, 1981, NASA launched the Space Shuttle *Columbia*.

On January 18–24, 1983, NASA launched Space Shuttle *Challenger!*.

On July 22, 1999, Space Shuttle *Columbia*'s flight was led by Air Force Colonel Eileen Collins, the first woman to command a shuttle mission.

On July 20, 1969, *Apollo 11* astronauts Neil A. Armstrong and Edwin E. Aldrin made the first lunar landing mission while Michael Collins orbited overhead in the Apollo command module.

On April 24, 1990, the Hubble Space Telescope was launched into space.

So many firsts, but yet, of course, there were tragedies. And today, as we commemorate this coin or pass this legislation, we also acknowledge the fallen heroes in *Columbia* and *Challenger*, and the others who have found their dream of going into space shortened by this tragic incident.

It is not safe, it is not easy, it is risky, but there are men and women, Americans, who are willing to go into space to be able to push the envelope to ensure that humanity has the kind of health resources or health research in HIV/AIDS and stroke and heart attacks to be able to move this Nation and humanity around the world to its highest level.

I'm very pleased that we, in the Houston area, celebrate the Johnson Space Center, representing so many space centers around the world. I am even more pleased to have the opportunity, on more than one occasion, to welcome home the astronauts as they've landed at the Johnson Space Center. What a remarkable experience to hear their stories, to see their eyes light up as they express what it's like to be in space, to take a space walk. As our most recent mission evidenced, how important it is that space has reflected the diversity of America—Asians, Hispanics, African Americans, Caucasians, men, women, people from all over this Nation, and yes, our international partners from Japan, from Russia, from many places around the world.

And what will this coin do? And we encourage, if I might, for everyone to be excited about this coin. I'm hoping that you will commemorate the passage of this legislation by securing to you the value of the NASA coins. You can say this on the floor of the House, we're not marketing, but we think it will be an outstanding and special historical artifact that you will really want to have. But it also serves to further the dream, the dream of space, the dream in the hearts and minds of young people.

In this very important legislation the proceeds of the sale will benefit the life and legacy of Dr. Ronald E. McNair, a friend, a neighbor, a member of the Wheeler Avenue Baptist Church; the late Dr. Ronald E. McNair whose Educational Science Literacy Foundation is strengthening the connection of minority youngsters to math and science. It will also help the Challenger Center for Space Science Education, for the purposes of creating positive learning experiences using space science as a theme that raise student expectations of success.

All of this will be, as well, celebrated by adding dollars to the NASA Families Assistance Fund, and that is, of course, the fund that provides for those who have lost their loved ones in the course of this historic opportunity.

Mr. Speaker, let me acknowledge Jonathan Obee of the Financial Services Committee on this legislation. I also wish to pay tribute to Yohannes Tsehai of my staff, as I've indicated, again, to the chairman of the full committee, Mr. FRANK, and of the subcommittees, and the ranking member of the full committee. I also want to acknowledge, as I indicated before, the manager of the bill from Houston and the manager from the minority who is managing this bill.

In closing, Mr. Speaker, let me say this, that coins may represent some symbolism, but in the spirit of what NASA has meant to America, it is more than that. It is simply to say thank you; thank you to the brave men and women who are willing, yes, to sacrifice their life so that humanity can be lifted to a higher level.

Learning what happens in space can improve the quality of lives of all Americans. And I hope this coin will remind young people today of the importance of math and science and pushing their own envelopes. I want to see more astronauts and more astronauts, more exploration, if you will, and the understanding of science to improve the quality of life of all of America and around the world.

With that, I ask my colleagues to support this legislation and I thank Mr. GREEN for his time.

Mr. Speaker, I rise in strong support of H.R. 6455, the NASA 50th Anniversary Commemorative Coin Act. I was pleased to introduce this bill and I thank my colleague, Mr. CULBERSON, who joined me in introducing this legislation, and Chairman FRANK of the Financial Services Committee, for his excellent leadership in shepherding this historic legislation to passage on the House floor.

The year 2008 will mark the 50th anniversary of the creation of the National Aeronautics and Space Administration (NASA). This important legislation celebrates NASA's 50th birthday with a commemorative coin. The legislation also honors the extraordinary partnerships between NASA and its 10 space and research centers.

Mr. Speaker, NASA has a distinguished history. The United States of America won the race to land a man on the moon and, thanks to the courage, dedication, and brilliance of NASA, America has continued to lead the world in the exploration of the solar system and the universe.

On October 1, 1958, the National Aeronautics and Space Administration began operation. At the time it consisted of only about 8,000 employees and an annual budget of $100 million. Over the next 50 years, NASA has been involved in many defining events occurred which have shaped the course of human history and demonstrated to the world the character of the people of the United States.

Many of us remember how inspired we were when on May 25, 1961, President John F. Kennedy proclaimed: "I believe this Nation should commit itself to achieving the goal, before this decade is out, of landing a man on the moon and returning him safely to earth. No single space project in this period will be more impressive to mankind, or more important for the long-range exploration of space; and none will be so difficult or expensive to accomplish."

Always at the forefront of technological innovation, NASA has been home to countless "firsts" in the field of space exploration, from the 1958 launch of Pioneer 3, the first U.S. satellite to ascend to an altitude of 63,580 miles, to the January 1998 signing of the International Space Station agreement between 15 countries, establishing the framework for cooperation among partners on the design, development, operation, and utilization of the Space Station. Over the past 50 years, NASA's accomplishments have included:

On 20 Feb. 1962, John Glenn became the first American to circle the Earth, making three orbits in his *Friendship 7* Mercury spacecraft.

On 6 Apr. 1965, the United States launched Intelsat I, the first commercial satellite (communications), into geostationary orbit.

On 13 Nov. 1971, the United States launched Mariner 9, the first mission to orbit another planet (Mars).

On 12 Apr. 1981, NASA launched the Space Shuttle *Columbia* on the first flight of the Space Transportation System (STS–1).

On 18–24 Jun. 1983, NASA launched Space Shuttle *Challenger* (STS–7) carrying three mission specialists, including Sally K. Ride, the first woman astronaut. In another historic mission, two months later, NASA launched STS–8 carrying the first black American astronaut, Guion S. Bluford.

On 22 Jul. 1999, the Space Shuttle *Columbia's* 26th flight was led by Air Force Col. Eileen Collins, the first woman to command a Shuttle mission.

On July 20, 1969, *Apollo 11* astronauts Neil A. Armstrong and Edwin E. Aldrin made the first lunar landing mission while Michael Collins orbited overhead in the *Apollo* command module. Armstrong set foot on the surface, telling the millions of listeners that it was "one small step for man—one giant leap for mankind." Aldrin soon followed him out and planted an American flag but omitted claiming the land for the U.S. as had routinely been done during European exploration of the Americas. The two Moon-walkers left behind an American flag and a plaque bearing the inscription: "Here Men from Planet Earth First Set Foot upon the Moon. Jul. 1969 A.D. We came in Peace for All Mankind."

On April 24, 1990, the Hubble Space Telescope was launched into space aboard the STS–31 mission of the Space Shuttle *Discovery*. The Hubble has revolutionized astronomy while expanding our knowledge of the universe and inspiring millions of scientists, students, and members of the public with its unprecedented deep and clear images of space."

Mr. Speaker, in addition to these historic events, NASA has greatly contributed to our understanding of our universe. In 1968, *Apollo 8* took off atop a Saturn V booster from the Kennedy Space Center for a historic mission to orbit the Moon. As *Apollo 8* traveled outward, the crew focused a portable television camera on Earth and for the first time humanity saw its home from afar, a tiny, lovely, and fragile ''blue marble'' hanging in the blackness of space.

This transmission and viewing of Earth from a distance was an enormously significant accomplishment and united the Nation at a time when American society was in crisis over Vietnam, race relations, urban problems, and a host of other difficulties.

The success of the United States space exploration program in the 20th Century bodes well for its continued leadership in the 21st Century. This success is largely attributable to the remarkable and indispensable partnership between the National Aeronautics and Space Administration, and its 10 space and research centers. One of these important research centers is located in my home city of Houston. The Johnson Space Center, which manages the development, testing, production, and delivery of all United States human spacecraft and all human spacecraft-related functions, is one of the crown jewels of NASA and a lodestar in the Houston area. The other nine research and space centers are:

1. The Ames Research Center in California's Silicon Valley provides products, technologies, and services that enable NASA missions and expand human knowledge in areas as diverse as small spacecraft and supercomputers, science missions and payloads, thermal protection systems and information technology.

2. The Dryden Flight Research Center, the leading center for innovative flight research.

3. The Glenn Research Center, which develops power, propulsion, and communication technologies for space flight systems and aeronautics research.

4. The Goddard Space Flight Center, which specializes in research to expand knowledge on the Earth and its environment, the solar system, and the universe through observations from space.

5. The Jet Propulsion Laboratory, the leading center for robotic exploration of the Solar System.

6. The Kennedy Space Center, the gateway to the Universe and world leader in preparing and launching missions around the Earth and beyond.

7. The Langley Research Center, which continues to forge new frontiers in aviation and space research for aerospace, atmospheric sciences, and technology commercialization to improve the way the world lives.

8. The Marshall Space Flight Center, a world leader in developing space transportation and propulsion systems, engineers the future to accelerate exploration and scientific discovery.

9. The Stennis Space Center, which is responsible for rocket propulsion testing and for partnering with industry to develop and implement remote sensing technology.

NASA's stunning achievements over the last 50 years have been won for all mankind at great cost and sacrifice. In the quest to explore the universe, many NASA employees have lost their lives, including the crews of *Apollo 6*, the Space Shuttle *Challenger*, and the Space Shuttle *Columbia*.

The surcharge proceeds from the sale of a coin commemorating the contributions of NASA will generate valuable funding for the NASA Families Assistance Fund for the purposes of need-based financial assistance to the families of NASA personnel who die as a result of injuries suffered in the performance of their official duties. And equally important, proceeds from the sale of commemorative coins will also benefit the Dr. Ronald E. McNair Educational (D.R.E.M.E.) Science Literacy Foundation, which is dedicated to improving and strengthening the process of teaching and learning science, math, and technology at all educational levels, elementary through college through the promotion of innovative educational programs.

This legislation also benefits the Challenger Center for Space Science Education, for the purposes of creating positive learning experiences using space science as a theme that raise student expectations of success, fostering a long-term interest in mathematics, science, and technology, and motivating students to pursue careers in these fields. The remainders of the proceeds, after distribution to the NASA Families Assistance Fund, the DREME Foundation, and the Challenger Center for Space Science Education, are slated to go to the Smithsonian Institution for the preservation, maintenance, and display of space artifacts at the National Air and Space Museum (including the Steven F. Udvar-Hazy Center).

Mr. Speaker, in the centuries to come, when space travel will be commonplace and America will have successfully led the way for humanity to utilize the resources of other planets, these first 50 years of NASA's existence will be remembered as the most significant era of human space exploration. It is, therefore, important that we commemorate the great achievements of NASA's first 50 years.

In closing, Mr. Speaker, let me also thank Jonathan Obee of the Financial Services Committee on this legislation. I also wish to pay special tribute to Yohannes Tsehai of my staff. Without their valuable contributions this significant legislative achievement would not have been possible. I strongly urge my colleagues to join me in supporting this historic legislation.

Mr. PRICE of Georgia. Mr. Speaker, I want to say how pleased we are that this bill has come to the floor. I want to commend my friend from Texas for shepherding this through previous Congresses. I want to commend the gentlelady from Texas for painting a picture of the wonder of NASA that we all know and love. The byproducts of the NASA program have been remarkable.

I remember myself that day in July of 1969 when we landed on the Moon, and watching that, and what a special source of pride that was for all Americans. I remember thinking—actually, every time that NASA has a flight—the incredible energy that it takes to boost those rockets into space.

This bill is going to get something that's very special on the floor of this House, and that's a vote; that's a vote, Mr. Speaker. We would appeal to the Democrat majority leadership to allow a vote on other bills, other bills that have items of import, like the energy that it takes for every single American to live each and every day. Just a vote, that's all we ask for, just a vote.

We had many of our friends come to the floor earlier today and talk about the issue of energy. And we, on our side of the aisle, believe that a comprehensive solution is absolutely necessary.

We've got to have conservation, and Americans are doing their share on that score as we speak. We've got to have an alternative fuel source. And I'm one of those that's hopeful that it's not a source of energy that is selected by this Congress but that utilizes the ingenuity and the entrepreneurship and the genius of the American people to come up with that alternative fuel.

But we know that we also need a short-term, a near-term solution, and that's the increase in supply. And that's what we ask for for the floor of this House is to allow a vote on an increase in supply for onshore fossil fuels, for offshore deep sea exploration, for clean coal technology, for oil shale, for increasing refining capacity so that the energy that was put into the space program can be harnessed for the energy that will solve the challenges that we have for our Nation in terms of American-made energy for Americans.

So that's what we ask for, Mr. Speaker, a vote, a vote not just on this bill—which we know we'll get, and we're very grateful for that—but a vote on the bills of significant import to the American people in this day and in this time so that we can make certain that we do, in fact, increase American-made energy for Americans.

Mr. CULBERSON. Will the gentleman yield?

Mr. PRICE of Georgia. I'm pleased to yield to my friend from Texas.

Mr. CULBERSON. I thank the gentleman for yielding because I wanted to point out to the House some of the remarkable research that NASA is doing. In fact, at Rice University in Houston, Texas that my friend AL GREEN and I and Congresswoman SHEILA JACKSON-LEE are proud to represent Rice University, they're developing a quantum wire, with the help of NASA, using carbon nanotubes that transmit electricity ballistically with zero resistance, essentially room temperature superconductors that will allow the storage and transmission of electricity in ways we cannot even imagine today, carrying electricity in a wire the width of your little finger 10 to 20 times the electricity carried in those giant overhead power lines from Los Angeles to New York with no loss of electricity.

NASA research at Rice University with the quantum wire and carbon nanotubes will increase the efficiency of solar cells so dramatically that, for example, when you put carbon nanotubes into a solar cell, you increase the efficiency to 60 and 70 percent.

So commemorating NASA today, we're commemorating the great technological advances that NASA has

brought to all of us as Americans today. My wife often teases me about all these electronic devices I carry to communicate with my district on Quick.com and Twiter.com—and let me see, I've got one in this pocket right here.

We all benefit from the technological research that NASA does, but the future holds greater promise for us, with the carbon nanotube work and combining that with solar cell technology, truly holds the promise of making America energy independent in the years to come.

But in the meantime, my friend from Georgia is exactly right, we need to drill here, drill now, and we will certainly pay less. And the Congress is all that's standing in the way of drilling here and drilling now. And I hope they will give us a vote on that.

But in the meantime, today we can honor the great technological achievements of NASA and the carbon nanotube research that holds the promise for making America energy independent in the long term.

Mr. PRICE of Georgia. I thank my friend for his comments.

And I appreciate just a glimpse into the wonderful genius of the American people and what we're able to do when we harness the energy of the American mind and have it move in a focused direction, like increasing the supply of energy.

Mr. Speaker, I'm pleased to support this bill and I reserve the balance of my time.

Mr. AL GREEN of Texas. Mr. Speaker, may I inquire as to how much time is remaining on each side.

The SPEAKER pro tempore. The gentleman from Texas has 5½ minutes remaining. The gentleman from Georgia has 5½ minutes remaining.

Mr. AL GREEN of Texas. Mr. Speaker, I yield 2½ minutes to the gentlelady from Texas.

Ms. JACKSON-LEE of Texas. I thank the distinguished gentleman from Texas as well.

I'm very pleased to add to the debate on the floor of the House and how far-reaching NASA has come as it relates to all academic institutions. I'm very proud of the partnership that NASA has had with Texas Southern University, one historically black college located in the 18th Congressional District, as well as Oakwood College located in Huntsville, Alabama. But there are many, many colleges that NASA has collaborated with. It's been a particularly important partnership with historically black colleges and Hispanic-serving colleges. As it relates to Texas Southern University, they've worked on aeronautics. They have, in fact, engaged in fellowships with young people to be able to expose them to the importance of the work that NASA has done.

I think even more so, it is important for the American people to know that the payload that the astronauts have taken to the Space Station and actually worked on includes the work of elementary, middle school and high school students. What better way for there to be an excitement about space and what we enjoy but doing it in that way.

I'm delighted that my colleagues have joined in discussing the broadness of our energy policy. I think in the passing of Dr. DeBakey we should make note of the great medical research that goes on with NASA. And as I've indicated with HIV/AIDS, with heart attacks or heart disease or stroke, it is not known to most Americans how much medical research is done on the Space Station and how many different countries are there and the medical doctors that go into space as well.

I know that we will work for a unified energy policy that involves, if you will, all of the elements, including conservation and wind and solar—Texas being the largest State with wind power. And I look forward to us having a fossil fuel, wind, solar, conservation, and we will do that as we move together.

NASA is so much a part of this extended research on climate change. And these commemorative coins will celebrate the diversity of NASA, how valuable it is for us. I hope my colleagues will enthusiastically support this particular legislation that will cause us to make sure that we are reminded of the great work of this great organization, serving all of the people of the United States of America.

Mr. PRICE of Georgia. Mr. Speaker, I just want to thank my good friends from Texas once again for bringing this bill to the floor and thank the chairman of the committee for bringing this bill to the floor.

In closing, I will just say that my constituents and many constituents and many Americans that I hear from all across this Nation say they remember fondly the wonderful enthusiasm with which this Nation gathered around, challenged by a President in the early 1960s to go to the Moon. And NASA was absolutely pivotal and instrumental in that. And it's that kind of enthusiasm that my constituents and so many Americans believe we ought to be putting into the same kind of program to discovering that alternative fuel that will lead us and allow us to lead throughout the 21st century.

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So this bill will get a vote. And for that we are very, very grateful.

We would ask, Mr. Speaker, and appeal to the leadership to allow a vote on increasing the supply of American energy for Americans and providing a program that allows for the expansive development of alternative fuel.

With that, I am pleased to support this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. AL GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in commemorating NASA's 50 years, the 50th anniversary, if you will, we are talking about great accomplishments. We are talking about the past. We are talking about the destinations that NASA has taken us to. We have gone to the Moon; that's a destination. We have a space station; that's a destination. We plan to go to Mars; that's a destination. But our destiny is beyond the Milky Way. Our destiny is beyond Alpha Centauri. Our destiny is beyond the stars. NASA is in its infancy, and it will take us to our destiny.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. AL GREEN) that the House suspend the rules and pass the bill, H.R. 6455.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

TIMOTHY J. RUSSERT HIGHWAY

Mr. HIGGINS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 3145) to designate a portion of United States Route 20A, located in Orchard Park, New York, as the ''Timothy J. Russert Highway''.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 3145

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds the following:

(1) Timothy ''Tim'' John Russert was born on May 7, 1950 in Buffalo, New York, to Elizabeth and Timothy Joseph Russert.

(2) Tim Russert graduated from Canisius High School in Buffalo, New York, earned his bachelor's degree in political science from John Carroll University in 1972, and his Juris Doctor from Cleveland State University—Marshall School of Law in 1976.

(3) Tim Russert embarked on a career in public service with United States Senator Daniel Patrick Moynihan and the Governor of New York, Mario Cuomo, from 1977 to 1984.

(4) After his career in public service and New York politics, Tim Russert began his career in journalism when he joined NBC in 1984.

(5) In 1991, Tim Russert became the host of the Sunday morning news program Meet the Press, the longest-running program in the history of television. He would go on to become the longest serving host of the show.

(6) Throughout his career, Tim Russert received 48 honorary doctorates and several awards for excellence in journalism, including—

(A) the Edward R. Murrow Award from the Radio-Television News Directors Association;

(B) the John Peter Zenger Freedom of the Press Award;

(C) the American Legion Journalism Award;

(D) the Veterans of Foreign Wars News Media Award;

(E) the Congressional Medal of Honor Society Journalism Award;

(F) the Allen H. Neuharth Award for Excellence in Journalism;

(G) the David Brinkley Award for Excellence in Communication;

(H) the Catholic Academy for Communication's Gabriel Award; and

(I) an Emmy Award from the National Academy of Television Arts and Sciences.

(7) In 2004, Tim Russert authored the best-selling autobiography, Big Russ and Me, which chronicled his life growing up in South Buffalo and his education at Canisius High School. He is also the author of Wisdom of our Fathers.

(8) Tim Russert advocated on behalf of abused children and voiced the need to protect our Nation's young people, serving on the board of directors of the Greater Washington Boys and Girls Club and America's Promise—Alliance for Youth.

(9) Tim Russert sat in the front seat of history, chronicling the political and societal events that have defined our time, and serving as a trusted source of information and analysis for millions of Americans.

(10) Tim Russert was a tireless booster of Buffalo, a famous fan of his beloved Buffalo Bills, and was always proud of his South Buffalo roots, a source of civic pride in the Western New York community.

(11) Tim Russert passed away on June 13, 2008. He is survived by his wife, Maureen Orth and their son, Luke Russert.

SEC. 2. DESIGNATION.

The portion of United States Route 20A located in Orchard Park, New York, between Abbot Road and California Road shall be known and designated as the ''Timothy J. Russert Highway''.

SEC. 3. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the portion of United States Route 20A referred to in section 2 shall be deemed to be a reference to the Timothy J. Russert Highway.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. HIGGINS) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. HIGGINS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on S. 3145.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HIGGINS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on June 13 the Nation lost one of its premier political journalists, and my home neighborhood of South Buffalo lost a favorite son.

Tim Russert was born in Buffalo on May 7, 1950. Hailing from a proud, working class family, Tim worked his way through Canisius High School and John Carroll University. After graduating from the Cleveland-Marshall College of Law, Tim Russert entered public service, working for Senator Daniel Patrick Moynihan and New York Governor Mario Cuomo.

In 1984 Tim began his celebrated career in journalism at NBC, where he stood out by, among other accomplishments, arranging the first live appearance on American television by Pope John Paul II. In 1991 NBC named Tim Russert the moderator of ''Meet the Press,'' a landmark decision that would leave a lasting impact not only on the Sunday morning talk shows but on all journalism.

Tim served masterfully as anchor and political analyst. He earned a reputation as a tenacious yet fair interviewer of his guests. His preparation and performance on ''Meet the Press'' set a new standard for political journalists: that they should ask, and demand answers to, the pressing questions of the day. No one did that better than Tim Russert.

Russert was also an accomplished author. His moving books, ''Big Russ and Me'' and ''Wisdom of Our Fathers,'' became New York Times best sellers. They also provided insight into the top priority Tim Russert placed on his family, his community, and the tradition of that community.

It was well noted in public remembrances of Tim Russert's life that he was proud of his Buffalo roots. What most people do not know is how proud Buffalo was of Tim Russert. We remember Tim as one of our greatest ambassadors, a kid from the neighborhood who never forgot his roots and continually made us proud. In many ways he defined how we in Buffalo see ourselves: tough, loyal, and hard working, not easily fooled. Tim Russert embodied these characteristics, and he never forget where he came from because that helped ultimately make who he was.

Tim's pride in his hometown was never more evident than when he would go on ''Meet the Press'' and use that pulpit to issue his ''Go Bills!'' before a big game. With Tim's love of the Buffalo Bills in mind, the legislation before the House today will author a fitting and lasting tribute to one of Buffalo's favorite sons.

S. 3145 would designate a portion of Route 20A in the town of Orchard Park, New York, the road leading to the Buffalo Bills' Ralph Wilson Stadium, as the ''Timothy J. Russert Highway.'' It will serve as a lasting celebration of Tim's life and provide Western New Yorkers and visitors alike the opportunity to take pride in Tim's contributions while on their way to see his beloved Bills win another game.

S. 3145 was agreed to in the Senate by unanimous consent on June 25. Passage today would send the bill to the White House and enable our community to honor Tim in what for all we hope will be another winning season for the Buffalo Bills.

Lastly, I would like to thank Chairman JIM OBERSTAR, Ward McCarragher, and Jim Kolb of the committee staff for their assistance with this legislation, and I urge its adoption today.

Mr. Speaker, I reserve the balance of my time.

Mr. DUNCAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 3145, a bill to designate a portion of the United States Route 20A to be named the ''Timothy J. Russert Highway.''

On June 13, 2008, the Nation was shocked to learn of the sudden loss of Tim Russert, NBC News' Washington bureau chief and moderator of ''Meet the Press'' and one of our most popular television analysts.

Tim Russert was known across the country as moderator for ''Meet the Press'' where he interviewed high-profile guests, bringing Washington politics into American living rooms. He was recognized for his on-the-air tenacity as a moderator and his intense passion for politics. It is no wonder that Time Magazine named Mr. Russert one of the 100 most influential people in the world. Despite his success, Tim Russert never lost sight or forgot his roots in Buffalo, New York.

S. 3145 designates a portion of U.S. Route 20A located near Ralph Wilson Stadium, home of the Buffalo Bills, ''Timothy J. Russert Highway.''

Mr. Speaker, one story. Every year the Tennessee Valley A&I Fair has a couple hundred thousand people attend, and for 20 years I have continued a tradition begun by my father and have had a very large booth giving away ice water, compliments of your congressman. Several years ago Tim Russert came in to speak to a Chamber of Commerce luncheon, and I shared the head table with him with approximately 600 people in the audience. At the very first of his speech, he started out and he said, ''Congressman, I had a chance to spend a little time in Knoxville yesterday after I got into town,'' and he said, ''I went around town and I saw this big booth that said ''Free ice water compliments of your congressman.'' He said, ''I've got to hand it to you. Anybody who could gain political capital by giving away water, that's about the best political gimmick I've ever heard of.'' And he had a big laugh about that and mentioned that every time he saw me after he had been to Knoxville.

S. 3145 is a deserving tribute to Tim Russert's great achievements in the field of political journalism and a reminder that he never forgot his hometown or his beloved Buffalo Bills.

Mr. Speaker, I urge all of my colleagues to support this bill.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of passage of S. 3145, which designates a portion of U.S. Route 20A in Orchard Park, New York, as the "Timothy J. Russert Highway".

This highway, which leads to Ralph Wilson Stadium—home of the Buffalo Bills, is a fitting tribute after Tim Russert.

A native of Buffalo, Mr. Russert will be best remembered for his integrity and his tenacious yet fair approach to his interviews as moderator on NBC's "Meet the Press".

Tim Russert began his career in 1977 as a key advisor for two of the leading elected officials and policymakers of their time, United

States Senator Daniel Patrick Moynihan and New York Governor Mario Cuomo.

In 1984, Russert joined NBC and quickly became one of the Nation's leading journalists and political analysts, serving as NBC's Washington Bureau Chief and host of "Meet the Press".

Throughout his career in journalism, Russert received 48 honorary doctorates and several awards for excellence in journalism, including an Emmy Award, the Radio and Television Correspondents' Joan S. Barone Award, the Annenberg Center's Walter Cronkite Award, and the Edward R. Murrow Award for Overall Excellence in Television Journalism.

Tim Russert also became a bestselling author, with the publication of his autobiography, Big Russ and Me, which chronicled his life growing up in South Buffalo and the lessons that he learned from his father. He also authored The Wisdom of Our Fathers.

What many may not know about Tim Russert is the work he did on behalf of numerous charities, which included serving on the board of directors for the Greater Washington Boys and Girls Club and America's Promise-Alliance for Youth.

Tim Russert will also be remembered as a proud native son of Buffalo, New York, and his passion for his hometown football team the Buffalo Bills is legendary.

It is a fitting tribute to Tim Russert that Buffalo Bills' fans will drive down the "Timothy J. Russert Highway" as they approach Ralph Wilson Stadium.

Mr. Speaker, I thank the gentleman from New York (Mr. HIGGINS) for bringing this legislation before the House and urge my colleagues to join me in supporting S. 3145.

Mr. DUNCAN. Mr. Speaker, I yield back the balance of my time.

Mr. HIGGINS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. HIGGINS) that the House suspend the rules and pass the Senate bill, S. 3145.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 2008

Mr. SPACE. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 496) to reauthorize and improve the program authorized by the Appalachian Regional Development Act of 1965, as amended.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 496

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Appalachian Regional Development Act Amendments of 2008".

SEC. 2. LIMITATION ON AVAILABLE AMOUNTS; MAXIMUM COMMISSION CONTRIBUTION.

(a) GRANTS AND OTHER ASSISTANCE.—Section 14321(a) of title 40, United States Code, is amended—

(1) in paragraph (1)(A) by striking clause (i) and inserting the following:

"(i) the amount of the grant shall not exceed—

"(I) 50 percent of administrative expenses;

"(II) at the discretion of the Commission, if the grant is to a local development district that has a charter or authority that includes the economic development of a county or a part of a county for which a distressed county designation is in effect under section 14526, 75 percent of administrative expenses; or

"(III) at the discretion of the Commission, if the grant is to a local development district that has a charter or authority that includes the economic development of a county or a part of a county for which an at-risk county designation is in effect under section 14526, 70 percent of administrative expenses;"; and

(2) in paragraph (2) by striking subparagraph (A) and inserting the following:

"(A) IN GENERAL.—Except as provided in subparagraph (B), of the cost of any activity eligible for financial assistance under this section, not more than—

"(i) 50 percent may be provided from amounts appropriated to carry out this subtitle;

"(ii) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts appropriated to carry out this subtitle; or

"(iii) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent may be provided from amounts appropriated to carry out this subtitle.".

(b) DEMONSTRATION HEALTH PROJECTS.—Section 14502 of title 40, United States Code, is amended—

(1) in subsection (d) by striking paragraph (2) and inserting the following:

"(2) LIMITATION ON AVAILABLE AMOUNTS.—Grants under this section for the operation (including initial operating amounts and operating deficits, which include the cost of attracting, training, and retaining qualified personnel) of a demonstration health project, whether or not constructed with amounts authorized to be appropriated by this section, may be made for up to—

"(A) 50 percent of the cost of that operation;

"(B) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent of the cost of that operation; or

"(C) in the case of a project to be carried out for a county for which an at-risk county designation is in effect under section 14526, 70 percent of the cost of that operation."; and

(2) in subsection (f)—

(A) in paragraph (1) by striking "paragraph (2)" and inserting "paragraphs (2) and (3)"; and

(B) by adding at the end the following:

"(3) AT-RISK COUNTIES.—The maximum Commission contribution for a project to be carried out in a county for which an at-risk county designation is in effect under section 14526 may be increased to the lesser of—

"(A) 70 percent; or

"(B) the maximum Federal contribution percentage authorized by this section.".

(c) ASSISTANCE FOR PROPOSED LOW- AND MIDDLE-INCOME HOUSING PROJECTS.—Section 14503 of title 40, United States Code, is amended—

(1) in subsection (d) by striking paragraph (1) and inserting the following:

"(1) LIMITATION ON AVAILABLE AMOUNTS.—A loan under subsection (b) for the cost of planning and obtaining financing (including the cost of preliminary surveys and analyses of market needs, preliminary site engineering and architectural fees, site options, application and mortgage commitment fees, legal fees, and construction loan fees and discounts) of a project described in that subsection may be made for up to—

"(A) 50 percent of that cost;

"(B) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent of that cost; or

"(C) in the case of a project to be carried out for a county for which an at-risk county designation is in effect under section 14526, 70 percent of that cost."; and

(2) in subsection (e) by striking paragraph (1) and inserting the following:

"(1) IN GENERAL.—A grant under this section for expenses incidental to planning and obtaining financing for a project under this section that the Secretary considers to be unrecoverable from the proceeds of a permanent loan made to finance the project shall—

"(A) not be made to an organization established for profit; and

"(B) except as provided in paragraph (2), not exceed—

"(i) 50 percent of those expenses;

"(ii) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent of those expenses; or

"(iii) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent of those expenses.".

(d) TELECOMMUNICATIONS AND TECHNOLOGY INITIATIVE.—Section 14504 of title 40, United States Code, is amended by striking subsection (b) and inserting the following:

"(b) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any activity eligible for a grant under this section, not more than—

"(1) 50 percent may be provided from amounts appropriated to carry out this section;

"(2) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts appropriated to carry out this section; or

"(3) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent may be provided from amounts appropriated to carry out this section.".

(e) ENTREPRENEURSHIP INITIATIVE.—Section 14505 of title 40, United States Code, is amended by striking subsection (c) and inserting the following:

"(c) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any activity eligible for a grant under this section, not more than—

"(1) 50 percent may be provided from amounts appropriated to carry out this section;

"(2) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts appropriated to carry out this section; or

"(3) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent may be provided from amounts appropriated to carry out this section.".

(f) REGIONAL SKILLS PARTNERSHIPS.—Section 14506 of title 40, United States Code, is amended by striking subsection (d) and inserting the following:

"(d) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any activity eligible for a grant under this section, not more than—

''(1) 50 percent may be provided from amounts appropriated to carry out this section;

''(2) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts appropriated to carry out this section; or

''(3) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent may be provided from amounts appropriated to carry out this section.''.

(g) SUPPLEMENTS TO FEDERAL GRANT PROGRAMS.—Section 14507(g) of title 40, United States Code, is amended—

(1) in paragraph (1) by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''; and

(2) by adding at the end the following:

''(3) AT-RISK COUNTIES.—The maximum Commission contribution for a project to be carried out in a county for which an at-risk county designation is in effect under section 14526 may be increased to 70 percent.''.

SEC. 3. ECONOMIC AND ENERGY DEVELOPMENT INITIATIVE.

(a) IN GENERAL.—Subchapter I of chapter 145 of subtitle IV of title 40, United States Code, is amended by adding at the end the following:

''§ 14508. Economic and energy development initiative

''(a) PROJECTS TO BE ASSISTED.—The Appalachian Regional Commission may provide technical assistance, make grants, enter into contracts, or otherwise provide amounts to persons or entities in the Appalachian region for projects and activities—

''(1) to promote energy efficiency in the Appalachian region to enhance the economic competitiveness of the Appalachian region;

''(2) to increase the use of renewable energy resources, particularly biomass, in the Appalachian region to produce alternative transportation fuels, electricity, and heat; and

''(3) to support the development of regional, conventional energy resources to produce electricity and heat through advanced technologies that achieve a substantial reduction in emissions, including greenhouse gases, over the current baseline.

''(b) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any activity eligible for a grant under this section, not more than—

''(1) 50 percent may be provided from amounts appropriated to carry out this section;

''(2) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts appropriated to carry out this section; or

''(3) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent may be provided from amounts appropriated to carry out this section.

''(c) SOURCES OF ASSISTANCE.—Subject to subsection (b), grants provided under this section may be provided from amounts made available to carry out this section in combination with amounts made available under other Federal programs or from any other source.

''(d) FEDERAL SHARE.—Notwithstanding any provision of law limiting the Federal share under any other Federal program, amounts made available to carry out this section may be used to increase that Federal share, as the Commission decides is appropriate.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 145 of title 40, United States Code, is amended by inserting after the item relating to section 14507 the following:

''14508. Economic and energy development initiative.''.

SEC. 4. DISTRESSED, AT-RISK, AND ECONOMICALLY STRONG COUNTIES.

(a) DESIGNATION OF AT-RISK COUNTIES.—Section 14526 of title 40, United States Code, is amended—

(1) in the section heading by inserting ''**, at-risk,**'' after ''**Distressed**''; and

(2) in subsection (a)(1)—

(A) by redesignating subparagraph (B) as subparagraph (C);

(B) in subparagraph (A) by striking ''and'' at the end; and

(C) by inserting after subparagraph (A) the following:

''(B) designate as 'at-risk counties' those counties in the Appalachian region that are most at risk of becoming economically distressed; and''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 145 of such title is amended by striking the item relating to section 14526 and inserting the following:

''14526. Distressed, at-risk, and economically strong counties.''.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 14703(a) of title 40, United States Code, is amended to read as follows:

''(a) IN GENERAL.—In addition to amounts made available under section 14501, there is authorized to be appropriated to the Appalachian Regional Commission to carry out this subtitle—

''(1) $87,000,000 for fiscal year 2008;

''(2) $100,000,000 for fiscal year 2009;

''(3) $105,000,000 for fiscal year 2010;

''(4) $108,000,000 for fiscal year 2011; and

''(5) $110,000,000 for fiscal year 2012.''.

(b) ECONOMIC AND ENERGY DEVELOPMENT INITIATIVE.—Section 14703(b) of such title is amended to read as follows:

''(b) ECONOMIC AND ENERGY DEVELOPMENT INITIATIVE.—Of the amounts made available under subsection (a), the following amounts may be used to carry out section 14508—

''(1) $12,000,000 for fiscal year 2008;

''(2) $12,500,000 for fiscal year 2009;

''(3) $13,000,000 for fiscal year 2010;

''(4) $13,500,000 for fiscal year 2011; and

''(5) $14,000,000 for fiscal year 2012.''.

(c) ALLOCATION OF FUNDS.—Section 14703 of such title is amended by adding at the end the following:

''(d) ALLOCATION OF FUNDS.—Funds approved by the Appalachian Regional Commission for a project in a State in the Appalachian region pursuant to a congressional directive shall be derived from the total amount allocated to the State by the Appalachian Regional Commission from amounts appropriated to carry out this subtitle.''.

SEC. 6. TERMINATION.

Section 14704 of title 40, United States Code, is amended by striking ''2007'' and inserting ''2012''.

SEC. 7. ADDITIONS TO APPALACHIAN REGION.

(a) KENTUCKY.—Section 14102(a)(1)(C) of title 40, United States Code, is amended—

(1) by inserting ''Metcalfe,'' after ''Menifee,'';

(2) by inserting ''Nicholas,'' after ''Morgan,''; and

(3) by inserting ''Robertson,'' after ''Pulaski,''.

(b) OHIO.—Section 14102(a)(1)(H) of such title is amended—

(1) by inserting ''Ashtabula,'' after ''Adams,'';

(2) by inserting ''Mahoning,'' after ''Lawrence,''; and

(3) by inserting ''Trumbull,'' after ''Scioto,''.

(c) TENNESSEE.—Section 14102(a)(1)(K) of such title is amended by inserting ''Lawrence, Lewis,'' after ''Knox,''.

(d) VIRGINIA.—Section 14102(a)(1)(L) of such title is amended—

(1) by inserting ''Henry,'' after ''Grayson,''; and

(2) by inserting ''Patrick,'' after ''Montgomery,''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. SPACE) and the gentlewoman from West Virginia (Mrs. CAPITO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. SPACE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 496.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SPACE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of S. 496, as amended, a bill to authorize appropriations for the Appalachian Regional Commission for 5 years.

As we all know, the ARC was established to address the unique problems faced by the isolated Appalachian region that separates it from the economic mainstream. Although this small, well-organized, and well-run agency has accomplished a great deal over its 35-year existence, much more needs to be done. For this reason I enthusiastically support the legislation and the continuation of the ARC.

ARC programs affect 406 counties located in 13 States, including all of West Virginia and parts of Alabama, Georgia, Kentucky, Maryland, Mississippi, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, and Virginia. This region covers nearly 200,000 square miles and contains approximately 22 million people. Using criteria based on national averages for income, unemployment, and poverty rates, the ARC administers its programs. Currently of ARC's 406 counties, 114 are considered distressed.

ARC'S decision making and service delivery is so efficient that the ARC served as a model for the Delta Regional Authority. The partnership between the Federal Government and the States rests on true shared decision making between the Federal co-chair and the States with funding decisions devolving back to the States. The ARC is successful because it responds to identified and agreed-upon needs and is extremely flexible in its approach. This bill also authorizes the designation of at-risk counties and identifies the percentage of funds for which these counties are eligible.

The bill allows the ARC to continue its economic development activities. I want to thank Chairman OBERSTAR for including provisions I offered during the committee's markup to establish a new economic and energy development initiative. This provision authorizes $65 million over the next 5 years for

projects that increase the use of renewable energy resources in the region to promote alternative transportation fuels, electricity, and heat.

We all know that economies require energy and infrastructure to thrive. And I believe that alternative energy production will breathe life into the struggling areas of Appalachia. In addition to these potential alternative energy resources, the Appalachian region possesses an extensive industrial manufacturing base that is already engaged in some of these emerging energy technologies, particularly wind turbine components, solar components, photovoltaic panels, and biofuel plants.

This provision will enable ARC to fund projects that utilize the region's natural resources in a positive way and to promote the development of renewable energy. We will be invigorating the economies of our Appalachian counties while working to gain energy independence.

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That is a principle that all of us agree is important.

Let me end by saying that what we're doing today is consistent with the forward-looking approach that President John Kennedy employed when he first created the Appalachian Regional Commission in the early 1960s. After witnessing firsthand an Appalachia that was home to, in his words, ''hungry children, old people who cannot pay their doctors' bills, families forced to give up their farms,'' President Kennedy vowed to create a bold, new approach to ridding the region of poverty. Today we're attempting to carry on that legacy. We are boldly seeking to employ 21st-century technologies to bring economic development to a region that for decades has been underserved.

I support this bill and urge my colleagues to join me in supporting this bill because it goes a long way to enabling the ARC to fulfill its mission.

Mr. Speaker, I reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of S. 496, the Appalachian Regional Development Act Amendments of 2008. I would like to thank Chairman OBERSTAR, Chairwoman NORTON, Ranking Member MICA, Ranking Member GRAVES and also my colleague from Ohio, Representative SPACE, for their steadfast support of the Commission and for the people of Appalachia.

As a Member of Congress from West Virginia, I can attest to the tremendous work the Appalachian Regional Commission, or the ARC as it is called, has done to bring clean water, safe roads, new jobs and a better quality of life to millions of people in the Appalachian region.

Over the last few years, the ARC has made a number of investments in my district, including an economic development strategy and business incubator in Elkins, a child care facility in Moorefield, and the new Corridor H highway.

The Appalachian Regional Development Act of 1965 established the ARC to promote regional coordination and develop projects that will trigger jobs, economic growth, and a better quality of life. The Commission is led by two co-chairmen. One is Presidentially appointed and Senate-confirmed, and the other is selected by the Governors of the participating States. As my colleague mentioned, the Commission includes all or part of 13 States, including the entire State of West Virginia, parts of Tennessee, Ohio, Pennsylvania, New York and Mississippi. The House companion bill passed the House last year. The Senate bill we are considering today includes an amendment that reflects our agreement with the Senate on the differences.

The bill reauthorizes the Commission for 5 years. In addition, the bill amends current law to allow the Commission to cover up to 70 percent of costs for projects that address problems in communities at risk of becoming distressed in the region. These programs include infrastructure projects, demonstration health projects, housing projects and initiatives for telecommunications, technology and entrepreneurship.

This bill also authorizes the creation, as my colleague mentioned, of the Economic and Energy Development Initiative, which I think is a great addition, which will provide grants to develop new alternatives for utilizing our vast conventional energy resources. I'm also pleased that this compromise includes language from the House bill which would discourage earmarking projects in future appropriation bills.

Leveraging Federal funds in West Virginia and the other Appalachian States has helped dramatically improve our communities over the years. The investment has resulted in a reduction of poverty, the creation of jobs, and the improvement of health and education. We still have a ways to go. And that is why I think this bill is extremely important for reauthorization today.

The work of the Commission is an example of the Federal and State partnership that has promoted economic growth in needed areas and distressed areas of high unemployment and high poverty so that these communities can begin to prosper independently in the future.

Thank you again. I urge my colleagues to support the bill.

I reserve the balance of my time.

Mr. SPACE. Mr. Speaker, at this time I yield 3 minutes to my friend and colleague from West Virginia, Congressman RAHALL.

Mr. RAHALL. I thank the gentleman from Ohio for yielding.

I certainly want to commend him as well as our full committee chairman, Mr. OBERSTAR from Minnesota, for their invaluable work over the years that I have been in this body on the Appalachian Regional Commission. Their full committee chairman, Mr. OBERSTAR, is strongly in support of the Appalachian Regional Commission. He has been to our State of West Virginia and seen how important it is. And this bill certainly would not only extend the work of the Appalachian Regional Commission, but it would enhance that work.

Throughout my career as a Member of this body, I have supported the work of ARC. West Virginia is the only State that has its entire borders within the jurisdiction of the Appalachian Regional Commission. We have seen firsthand how it has enabled struggling communities throughout West Virginia and the Appalachian region to provide economic opportunity and a renewed sense of hope to our citizens.

I would like to point out specific provisions in this bill aimed at increasing American-made energy for America. We have spent weeks on this floor hearing about the need to increase domestic energy supplies by becoming even more beholden to Big Oil. But we have at our fingertips the chance to help forge a better solution.

We possess the technological know-how to convert coal to environmentally advanced transportation fuels and electric power. This bill recognizes that and provides for an infusion of investment to help make that happen. A provision in this legislation, for example, would enable the ARC to make grants, provide technical assistance, enter into contracts and otherwise provide for projects that would increase the use of renewable energy, particularly biomass, in the Appalachian Region to produce alternative transportation fuels.

This is extremely important in helping make a commercial coal-to-liquids industry a reality in this country. The use of biomass with coal in the conversion process can sharply cut carbon emissions of coal-to-liquid fuels.

A study provided by Princeton University found that by combining 30 percent biomass with coal in the conversion process and capturing and sequestering the carbon dioxide, CTL fuel can be made cleaner than other conventional liquid fuels in use today. A second provision in the bill would provide support for the development of conventional energy resources, such as coal, to provide electricity using advanced greenhouse gas reduction technologies. More plainly, it would help to advance projects which would capture and store carbon emissions, a necessity to our continued use of coal and other fossil fuels throughout the foreseeable future.

In this age of increasing energy need and growing carbon awareness, it makes sense that such an initiative would find a home in Appalachia, a region in which much of the economy is intertwined with coal. The development of CTL and the success of carbon capture and storage is vital to the Nation's quest for greater energy independence. CTL fuels will assure us of a

readily usable, environmentally advanced alternative to current high-cost transportation fuels.

The SPEAKER pro tempore. The time of the gentleman from West Virginia has expired.

Mr. SPACE. I yield the gentleman 30 additional seconds.

Mr. RAHALL. And they are strategically beneficial to our Defense Department, which is vigorously pursuing the growth of a domestic alternative fuels industry to make the fuels it needs to keep America secure.

So I conclude with proud support of this bill to get our Nation beyond our reliance on foreign fuels and to get our people out from under the heavy hand of Big Oil.

Again, I commend the gentleman from Ohio for his leadership on this issue.

Mr. SPACE. I reserve my time.

Mrs. CAPITO. I would like to yield such time as he may consume to my friend from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Speaker, I thank the gentlewoman for yielding this time.

I rise in support of this bill. I have seen over the years a great deal of good work that has gone on by the Appalachian Regional Commission and the projects it has funded in its 13-State region and especially in my home State of Tennessee where much of their activities have been concentrated.

I read recently that two-thirds of the counties in the U.S. are losing population. That surprises people in my particular district because the Knoxville area has become one of the most popular places to move to in the whole country. But there are many counties in Tennessee and throughout the Appalachian region and many small towns and rural areas that are still struggling. Many of these small towns and rural areas are barely holding on.

The previous speaker mentioned more energy production. We've got to have more production of oil in this country or we're going to put the final nail in the coffin of the small towns and the rural areas because those people as a rule have to drive further distances to go to work and to meet other needs.

In addition, the Office of Surface Mining caused almost all the small coal companies in east Tennessee to go out of business. I was told at one time that in 1978 there were 157 small coal companies in east Tennessee, and now are there none. I have noticed over the years that most of these environmental radicals come from very wealthy and very upper-income families. And they have always wanted gas to go higher, and they have always opposed all types of energy production. Well maybe they can afford $5 and $6-per-gallon gasoline. But most lower and middle-income people in this country can't. It may be true that we can't drill our way out of the current crisis. But we also can't get out of the crisis that we're in on energy without having more drilling for oil in this country and more production of coal where it can be done in environmentally safe ways where it couldn't be done previously.

So I agree with the previous speaker that we need more domestic energy production in this country to help the Appalachian Region and also to further the activities of the Appalachian Regional Commission.

Mr. SPACE. Mr. Speaker, I yield myself 3 minutes.

This bill helps rectify some of the injustices and inequities that exist in this country with respect to rural America and in particular rural Appalachian America. We who live in Appalachian America understand all too well that we suffer from disadvantages, access to education, access to health care and access to technology put us at a distinct disadvantage. With the price of gas now at $4 plus per gallon, we don't generally have public transportation. We generally have to drive farther to where we need to be, work, school and the doctor. The price of gas has just made this discrepancy all the more onerous and difficult for the folks of Appalachia to bear.

Recently, I had the experience of visiting a food line in Zanesville, Ohio, and a food distribution line in Logan, Ohio, where lines of hungry people in Logan over 2 miles long, cars lined up on the side of the road waiting to participate in food drives. We're talking about people that have worked all their lives, senior citizens that can no longer afford to put food on the table. We're talking about young mothers who are working full time yet can't afford to feed their children. This bill will help address many of the inequities and injustice that John Kennedy identified in Appalachia in the early 1960s.

In many ways, those same injustices are still present, and these funds represent vital sources of funding for the people that we represent, ''we'' being those of us from Appalachia.

Mr. Speaker, I reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, I would like to yield 3 minutes to my colleague from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. I thank the gentlelady for yielding me time.

Mr. Speaker, I rise in strong support of S. 496, the reauthorization of the Appalachian Regional Commission. While we would have enjoyed having the House bill on the floor, we appreciate very much having the Senate bill. I want to express my thanks during the first part of my remarks to the chairman of the full committee, Mr. OBERSTAR of Minnesota, for really making sure that this happened. I had the pleasure of being the chairman of this subcommittee in a couple of previous Congresses ago, and this is a difficult bill to navigate through the House and the Senate.

And the fact that we're here today is a tribute to the leadership of the gentleman from Minnesota. I also thank the ranking member of the full committee, Mr. MICA of Florida. And I want to thank a colleague of mine from Ohio, because in this bill we have added three counties in Ohio to the 29 counties in Ohio already located within the ARC. And the last county was Columbiana County added in 1990. We now are adding in this bill Ashtabula, Trumbull and Mahoning Counties.

And the fact that they're in the bill is not only a credit to Mr. OBERSTAR, Mr. MICA and the Transportation and Infrastructure Committee, but also to Mr. TIM RYAN, the Congressman from Youngstown, who shares at least two of those counties with me. And we saw the vital need to have them included in the ARC. And we're very grateful.

On the Senate side we are grateful to Senator VOINOVICH for making sure these counties, despite the fact that we have been at this 5 years, and every year we get the counties added in the bill, and then it goes over to the Senate and somebody has a goofy idea over there and they drop out. This year I'm grateful that Senator VOINOVICH and our colleagues in the House have maintained these three counties in the bill. And just the way when my friend and colleague from Ohio (Mr. SPACE) was speaking, we recognize the value of John Kennedy's vision when he dispatched folks to look at the conditions in Appalachia. And we've really moved light years from that.

The ARC is a template for economic development in all of those regions. And we just want to be part of it. If you look at a map of the State of Ohio, the only sort of areas of white, and white being where there is no Regional Development Commission, Federal Commission, are the three counties that are being added today.

□ 1130

Just one example, Kinsman, Ohio, the home of Clarence Darrow, the famous orator and attorney, is looking at a major sewer project. We are working with the United States Department of Agriculture, but by being in the ARC, they will get extra points, extra opportunities to make that a reality. So when you are dealing with 300 landowners and a price tag of $20 million, the assessment isn't astronomical in terms of $70,000 or $80,000 just to hook up the water and sewer.

So we are excited about this opportunity and very grateful that this bill has come to the floor in a way that adds these counties.

I would say to Mr. SPACE that we are all suffering, rural America, suburban America, exurban America. I don't like to trumpet in a partisan fashion on the floor, but I will tell you the folks in my part of Ohio want us to do something. They have said enough arguing. You have a lot of brainy ideas in Washington, DC. It is time to stop favoring one group over the other. Let's bring it all together and let's talk about oil, let's talk about coal, let's talk about nuclear, let's talk about renewables, but get it done so I can put gas in my gas tank.

Mr. SPACE. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. LINCOLN DAVIS).

(Mr. LINCOLN DAVIS of Tennessee asked and was given permission to revise and extend his remarks.)

Mr. LINCOLN DAVIS of Tennessee. Mr. Speaker, I say thanks to my good friend from Ohio (Mr. SPACE) and others on the other side of the aisle who have taken it upon themselves to be sure that the ARC, the Appalachian Regional Commission, continues to exist.

Appalachia has long been plagued by lack of job opportunities and high unemployment, resulting in low per capita income, educational deficiencies, and a dilapidated infrastructure.

The Conference of Appalachian Governors was formed in 1960 to develop a regional approach to resolving these problems. In 1961 they brought their cause to President John F. Kennedy, known to have been moved by the poverty he saw during his campaign trips to West Virginia. At the time, one of every three Appalachians lived in poverty. Per capita income was 23 percent lower than the U.S. average. High unemployment and harsh living conditions had, in the 1950s, forced more than 2 million Appalachians to leave their homes and seek work in other regions of the Nation. By 1963, Kennedy had formed the President's Appalachian Regional Commission and directed it to create a comprehensive program for economic development of the Appalachian region. The resulting report was endorsed by the Conference of Appalachian Governors and President John Kennedy's cabinet. Soon after, Lyndon B. Johnson used the report to create legislation which ultimately created the Appalachian Regional Commission in 1965.

The ARC has long worked to address the long-term economic distress and isolation of the Appalachian region, and to press for greater Federal involvement in addressing the region's common problems. The ARC funds several hundreds projects annually affecting one of our Nation's most underserved populations. The ARC has played a leading role in granting consistently impoverished communities with improving water and sewer systems, sometimes providing running water for the first time, improving educational resources and teacher training in schools, access to health care, access to telecommunications and the Internet, and providing technical assistance for new business initiatives. They provide State and local agencies such as economic development agencies and human resource agencies in my 10,000-square mile congressional district, as well as nonprofit organizations. These projects have resulted in thousands of jobs.

Mr. Speaker, this is just the tip of the iceberg of ARC's good works. It is necessary and appropriate to reauthorize this valuable asset for rural America. It is my hope this Congress does. And on a note from those that I represent, without that funding from ARC and many of the Federal agencies, people who are my neighbors would not be able to have a water line that has usable water, safe water, a sewer system, nor would they have in many cases first responder buildings, as well as equipment that is much needed.

Mrs. CAPITO. Mr. Speaker, I have no further speakers, and I would just like to offer my gratitude to all of the Members who have worked so hard on this. This is extremely important to my home State of West Virginia. My entire State is part of the ARC. I mentioned several projects in my State. The gentleman from Tennessee mentioned water projects. I have two going right now that are the beneficiaries of ARC funding.

I think it is important to realize, too, that this is a partnership between the Federal Government and the States. By leveraging ARC funds just this year, $9.55 million in my State of West Virginia, has resulted in another $16 million of additional investment.

This part of our country has historically struggled, and with the current energy issues that we have before us and the high price of gasoline, we are an energy-rich region of this country. We can contribute to the solutions through either coal to liquid and our natural gas reserves and other things that need to be added to a comprehensive, all-of-the-above energy plan for this country.

With that, I express my deep gratitude and also my deep commitment to the ARC and its continuation.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of S. 496, as amended, a bipartisan bill to improve the programs authorized by the Appalachian Regional Development Act of 1965 (Pub. L. 89–4) and reauthorize the Appalachian Regional Commission ("ARC") for 5 years through fiscal year 2012.

The Appalachian Regional Commission was created to address economic issues and social problems of the Appalachian region as a part of President Lyndon B. Johnson's Great Society program. Historically, the Appalachian region has faced high levels of poverty and economic distress resulting from geographic isolation and inadequate infrastructure.

As a regional economic development agency, the ARC supports the development of Appalachia's economy and critical infrastructure to provide a climate for industry growth and job creation in 13 States, including all of West Virginia, and parts of Alabama, Georgia, Kentucky, Maryland, Mississippi, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, and Virginia. The Appalachian region covers nearly 200,000 square miles and contains nearly 23 million people. Currently, of the 410 counties included in the ARC, 78 are economically distressed counties and an additional 78 counties are classified as "at-risk".

Since its creation in 1965, the ARC has administered a variety of programs to aid in the advancement of the region, including construction of the Appalachian Development Highway System, enhancements in education and job training, and the development of water and sewer systems. The ARC's funding and projects have contributed significantly to employment, health, and general economic development improvements in the region. According to research conducted by Brandow Co. and the Economic Development Research Group, three fourths of ARC infrastructure projects with specific business or job-related goals met or exceeded formal projections.

S. 496 builds upon more than four decades of economic development successes by providing additional, much-needed Federal investment in the region. It authorizes $510 million over the 5-year period through fiscal years 2012.

In addition, the bill provides authority for the Commission to make technical assistance grants for energy efficient projects or projects to increase the use of renewable energy resources. The bill authorizes $65 million for the ARC to provide grants to promote energy efficiency and increase the use of renewable energy in Appalachia. This energy efficiency authorization is an outgrowth of the ARC's Energizing Appalachia report and I thank the gentleman from Ohio (Mr. SPACE) for working to include this provision in the House bill and this House-Senate compromise bill. The gentleman is a true champion of Appalachia and I thank him for his efforts to move this bill forward.

ARC's authorization expired at the end of fiscal year 2006. This bill includes the anti-earmarking provision that I have insisted upon for the last three years in response to the Republican-led earmarking of ARC projects by the Committee on Appropriations. I am encouraged that the Committee on Appropriations, under the leadership of Chairman OBEY and Chairman VISCLOSKY, has halted this practice. This provision will ensure that a future Congress doesn't restart it.

I urge my colleagues to join me in supporting this House-Senate bipartisan compromise bill, S. 496, to reauthorize the Appalachian Regional Commission.

Mrs. CAPITO. Mr. Speaker, I yield back the balance of my time.

Mr. SPACE. Mr. Speaker, in thanking the gentlewoman from West Virginia for her very able advocacy of this bill, I too yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. SPACE) that the House suspend the rules and pass the Senate bill, S. 496, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill, as amended, was passed.

A motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL CYSTIC FIBROSIS AWARENESS MONTH

Mrs. CAPPS. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 299) supporting the goals and ideals of National Cystic Fibrosis Awareness Month, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 299

Whereas cystic fibrosis is one of the most common life-threatening genetic diseases in the United States and one for which there is no known cure;

Whereas the average life expectancy of an individual with cystic fibrosis is 37 years—an improvement relative to the 1960s when children with cystic fibrosis did not live long enough to attend elementary school, but still unacceptably short;

Whereas approximately 30,000 people in the United States have cystic fibrosis, more than half of them children;

Whereas one of every 3,500 babies born in the United States is born with cystic fibrosis;

Whereas more than 10,000,000 Americans are unknowing, symptom-free carriers of the cystic fibrosis gene;

Whereas the Centers for Disease Control and Prevention recommends that all States consider newborn screening for cystic fibrosis;

Whereas the Cystic Fibrosis Foundation urges all States to implement newborn screening for cystic fibrosis to facilitate early diagnosis and treatment which improves health and life expectancy;

Whereas prompt, aggressive treatment of the symptoms of cystic fibrosis can extend the lives of people who have the disease;

Whereas recent advances in cystic fibrosis research have produced promising leads in gene, protein, and drug therapies beneficial to people who have the disease;

Whereas innovative research is progressing faster and is being conducted more aggressively than ever before, due, in part, to the Cystic Fibrosis Foundation's establishment of a model clinical trials network;

Whereas although the Cystic Fibrosis Foundation continues to fund a research pipeline for more than 30 potential therapies and funds a nationwide network of care centers that extend the length and quality of life for people with cystic fibrosis, lives continue to be lost to this disease every day;

Whereas education of the public about cystic fibrosis, including the symptoms of the disease, increases knowledge and understanding of cystic fibrosis and promotes early diagnosis; and

Whereas the Cystic Fibrosis Foundation will conduct activities to honor National Cystic Fibrosis Awareness Month in May, 2008: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) honors the goals and ideals of National Cystic Fibrosis Awareness Month;

(2) promotes further public awareness and understanding of cystic fibrosis;

(3) advocates for increased support for people with cystic fibrosis and their families;

(4) encourages early diagnosis and access to high-quality care for people with cystic fibrosis to improve the quality of their lives; and

(5) supports research to find a cure for cystic fibrosis by fostering enhanced research programs and expanded public-private partnerships.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. CAPPS) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. CAPPS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. CAPPS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of House Concurrent Resolution 299, a resolution expressing support for the goals and ideals of National Cystic Fibrosis Awareness Month. I would like to commend my colleagues on the Energy and Commerce Committee, Representatives ED MARKEY and CLIFF STEARNS, for their diligent work in bringing this resolution before us today.

Cystic fibrosis is a life-threatening, in fact it is a fatal genetic disorder, that currently afflicts over 30,000 Americans, with 1,000 new cases diagnosed each year. The disease affects the respiratory and digestive systems, causing serious health problems in organs such as the lungs, intestines, and the pancreas. Cystic fibrosis has no cure, and although treatment has been greatly improved, the average life expectancy for people with this disease is only 37 years.

With greater awareness of cystic fibrosis, we hope to encourage much more investment and research and treatment into this disease. That is why I am proud to cosponsor House Concurrent Resolution 299 which encourages Congress to support the National Cystic Fibrosis Awareness Month.

The resolution rightly praises the many public-private partnerships which have sprung up in the last few years, and it also stresses the promise of innovative research on cystic fibrosis, and this is the environment that we need today which is critical to finding a cure for this fatal disease.

I urge my colleagues to join me in support of House Concurrent Resolution 299.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of House Concurrent Resolution 299 that supports the goals and ideals of Cystic Fibrosis Awareness Month.

I thank the sponsor of the resolution, ED MARKEY of Massachusetts, and cosponsor, CLIFF STEARNS of Florida, for their diligent work on this issue. And I would like to thank my colleague on the Energy and Commerce Committee, the gentlelady from California, for presenting the bill before us today.

H. Con. Res. 299 raises public awareness by observing Cystic Fibrosis Awareness Month and recognizing the 30,000 people in the United States that have this hereditary disease. Cystic fibrosis affects the lungs, it affects virtually every system in the body, and certainly complications can arise such as life-threatening lung infections, and gastrointestinal complications that lead to malabsorption. Of the 30,000 Americans affected by this inherited and chronic condition, more than half are children.

Mr. Speaker, significantly, in the 1950s, very few children with cystic fibrosis lived to attend elementary school. Today, advances in research and medical treatments have further enhanced and extended the life of children, and now even adults with cystic fibrosis. In 2006, the predicted median age of survival had risen to 37 years, and many people with the condition can now expect to live into their 40s and beyond, a significant achievement.

When I began my medical studies back in the mid-1970s, cystic fibrosis was, indeed, a disease of childhood. And now we have many more people living well into young adulthood with the condition. And the expectation is with further advances in research, this age will greatly increase in the next several years.

It is important that we recognize Cystic Fibrosis Awareness Month and educate the public about the symptoms of the disease, increase the knowledge and understanding of the condition, and promote early detection for the new cases that are diagnosed each year. And the bill makes reference to 3,500 children that are born each year with cystic fibrosis.

I thank the Cystic Fibrosis Foundation for their efforts and continued funding of research and potential therapies. One of the intriguing things about treatments on the horizon, certainly we are all aware of changes that are going on in genome research and the fact that there may be new therapies that none of us dreamed of a few years ago. Compacted nanoparticles of aerosolized DNA taken as a nasal inhalant have made some dramatic changes in this disease, and certainly we look forward to many more advances on these fronts.

Certainly the hard work of the foundation has improved the life of the 70,000 people worldwide suffering from cystic fibrosis. And hopefully one day they will lead the way in finding a cure.

Mr. Speaker, I urge my colleagues to support this worthwhile resolution.

Mr. Speaker, I reserve the balance of my time.

Mrs. CAPPS. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I have additional speakers on the way, and while awaiting their arrival, let me just also mention that this bill, coming as it did through our Committee on Energy and Commerce, for major pieces of health care legislation, that is the correct approach, for it to come through the committee process, committee hearings and subcommittee and committee markups.

Later on today we will have an opportunity to vote on a Presidential veto of the Medicare bill that we passed on this House floor a few weeks ago.

□ 1145

That bill was an example of not following regular procedure, and that is what has made this issue that has embraced the correction of the physician reimbursement cuts—embraced by both sides of the aisle, but it has made it very contentious for this body. It was all unnecessary. Not a person in this body really opposed correcting the physician cuts.

Really the only issue was the approach. We could have had an opportunity to have a bill marked up in our subcommittee or in our full committee. I would have welcomed the opportunity to propose amendments, to perhaps perfect that legislation that would have rendered the whole process of this very contentious standoff we have now with the White House, would have rendered that absolutely unnecessary.

There are good ideas up there on both sides of the aisle. I would again use this opportunity to express how important it is that this House follow regular procedure, particularly on these major health care bills. This bill that the President will veto today, that we will have an opportunity to vote on the override, this will affect the delivery of health care for the next 30 or 40 years in ways that many of us have no ability to comprehend right now.

It's unfortunate, because we had the opportunity to do the markups in subcommittee and full committee, and, for whatever reason, the decision was made to bring it up on suspension, push it to the last minute, so there really was no opportunity to say, well, let's take it back and go through committee, because we were up against a hard deadline.

Everybody knew that last December. We had passed a 6-month extension. It was one of the most insulting things we could have done to the medical profession in this country was give them a 6-month reprieve on the rollback of the Medicare reimbursement rates.

Instead, we gave them a 6-month reprieve, and we pushed it up to the very last minute, so there was no other option. It's an up or down vote. Take it or leave it. You have got this bill. It has got a lot of other things appended to it.

We heard no discussion about the unfunded mandates for e-prescribing that were tagged onto this bill. I doubt many of the regular physicians out there in practice today really understand what we have passed for them, what we have layered on to their overhead that grows by leaps and bounds every year. It's the additional regulations that have been placed on physician practices.

This is an example today of doing things the right way. Later on this afternoon we will have an example of doing things the wrong way. I would urge the leadership of this House to pay attention to this.

We have good individuals on both sides of the aisle that have are serving in our committees of jurisdiction. Let's not circumvent that committee process and bring things up on the suspension calendar that really are substantial changes in Federal policy that really should go through regular order.

Mr. Speaker, I reserve the balance of my time.

Mrs. CAPPS. Mr. Speaker, I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, well, again, we do have other speakers who are reportedly on the way.

Let me just add another couple of comments, because I have heard some discussion that we will have another opportunity to vote on SCHIP legislation before this House comes to a conclusion.

This, again, would be a mistake to bring it up through the suspension process. We have until March of 2009 to reauthorize the SCHIP, the State Children's Health Insurance Program.

I would urge this House to take up the work of that now. Let's begin in our committee this year. We actually don't have to do the bill until next year. We can do a lot of the groundwork this year, and that would be the correct way to approach that.

Mr. Speaker, I reserve the balance of my time.

Mrs. CAPPS. Mr. Speaker, I am pleased to yield 2 minutes to the author of the bill, Mr. MARKEY from Massachusetts.

Mr. MARKEY. I thank the gentlelady, and let me begin by expressing my appreciation to Chairman DINGELL, Ranking Member BARTON, Mr. PALLONE and Mr. DEAL for their support of this important resolution, but I would also like to extend my special thanks to my friend and cofounder of the Congressional Cystic Fibrosis Caucus, CLIFF STEARNS of Florida. Thank you, CLIFF, for your commitment to this issue.

The resolution before us today is intended to highlight the importance of beating this dreadful, cruel disease, and bring hope to people with cystic fibrosis and their loved ones. Approximately 30,000 children and adults in the United States have cystic fibrosis, a life-threatening genetic lung disease for which there is no cure.

In my home State of Massachusetts, 800 families are affected by this horrible disease. That's a lot of moms that wake up at 5 in the morning so that they can pound on their child's chest to clear the abnormally thick, sticky mucus that makes breathing difficult. That's a lot of children who cough and wheeze and are at constant risk for life-threatening lung infections. That's a lot of dads who want their child to have a healthy life but have to worry about the unpleasant alternative of a shortened life expectancy marked by frequent admissions to the hospital.

This resolution is about supporting these families and providing them with the hope for a better future. Significant improvements have been made in the treatment of cystic fibrosis. Fifty years ago many children with CF did not live past 10 years of age. Today, the life expectancy is 37 years.

Many of those achievements are due to the hard work and dedication of the Cystic Fibrosis Foundation. Yet we still have a long way to go to provide people with CF with a normal and a healthy life. It is time for Congress to become more involved in the pursuit of a cure. We need to make a greater investment in research and make a stronger commitment to the people with CF, their families, and their caretakers. The cystic fibrosis community has ensured that we understand the unique challenges that face people.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mrs. CAPPS. I yield my colleague an additional minute.

Mr. MARKEY. The cystic fibrosis community has ensured that we understand the unique challenges that face people with cystic fibrosis. With this resolution we express our support for the mission to find a cure or more control over this disease.

I thank the gentlelady and again, I thank my friend from Florida (Mr. STEARNS) and all of those in the cystic fibrosis community, especially my lifelong friend, Joe O'Donnell, who has dedicated his life to finding the cure for this disease.

Mr. BURGESS. Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. STEARNS), a cosponsor of the resolution.

Mr. STEARNS. Mr. Speaker, I stand before my colleagues on the House floor today to lend my strong support to this House Concurrent Resolution 299, Supporting the Goals and Ideals of National Cystic Fibrosis Awareness Month.

I am also honored to cochair this with my distinguished colleague from Massachusetts, Mr. ED MARKEY, and I look forward to passage of this resolution. He and I have worked on this together. We are very pleased that, finally, it's coming to the floor, and hopefully will pass today.

My colleagues, this is a disease that affects 30,000 Americans living in this country, more than half of which are children. One out of every 3,500 babies born in the U.S. today has cystic fibrosis, with 70 percent of the cases diagnosed by age 2 and 1,000 new cases diagnosed each year.

In my home State of Florida, there are roughly 1,100 patients who suffer each and every day from this debilitating disease. It's cruel. That is 1,100 too many. These CF patients have to endure hours of treatment each day just to stay relatively healthy and maintain normal lung functions. Treatments range from daily air clearance techniques to intensive nutrition and drug therapies, and even to lung transplants in the most severe cases.

People suffering from CF have two copies of a defective gene, which causes the body to produce abnormally thick sticky mucus which clogs the lungs

and can result in fatal lung infections. This kind of mucus can also obstruct the pancreas, making it difficult for people with CF to absorb nutrients, simple nutrients, in food. Unfortunately, more than 10 million Americans are unknowingly symptom-free carriers of the CF gene.

Now, the residents of Florida have recognized there is a real need for CF care and research. There are 15 specialized centers and clinics for cystic fibrosis care in my home State of Florida, including one at the University of Florida, which I represent here in Congress.

My colleagues, there is no cure for CF, even though it is one of the most common, life-threatening diseases in the United States. Now, 50 years ago, CF was considered a death sentence, as there were no drugs to combat and control the symptoms.

In 1955, a child born with CF was not expected to live long enough to attend elementary school. Today, the median age of survival for a CF patient is 37.

I am proud to say there are five drugs on the market, and there's over 30 new drugs that are in various stages of development. These drugs are helping children born with CF to live significantly longer and healthier lives. People with CF are living longer. Over 40 percent of the CF population is now age 18 or older.

But that is not enough, my colleagues. We need more research and more funding, and we can't stop until we find the cure. I believe in the ingenuity and strong ethic of the American people. I believe we have the brain power and the drive to cure this disease today.

I would like to recognize the Cystic Fibrosis Foundation, which has led the development of these promising treatments through an innovative business approach to drug discovery and development. The Cystic Fibrosis Foundation has entered into partnerships with biotechnology and pharmaceutical companies in an effort to find a cure, a simple cure for this disease.

As a result of their efforts, promising potential drug therapies to correct the cause of the disease are now entering clinical trials in CF patients, and new therapies that treat the symptoms of this disease are now helping patients every day as we speak.

In the past 5 years, the Cystic Fibrosis Foundation and its subsidiaries have invested over $650 million in drug research. I commend them for their commitment to innovation and for acting as a facilitator in the development of these important new drugs.

With the support of the foundation, programs like the one at the University of Florida CF and Pediatric Pulmonary Disease Center are simply improving the health outcome of patients who have cystic fibrosis. In the past 5 years in the State of Florida, CF research and care supported by the CF Foundation has totaled $3½ million.

I urge my colleagues to recognize the achievements of organizations like the Cystic Fibrosis Foundation, and to bring awareness to and honor to the thousands of Americans suffering from CF every day, by simply passing this resolution.

Mrs. CAPPS. Mr. Speaker, I continue to reserve my time.

Mr. BURGESS. Mr. Speaker, I have no more speakers at this time, and I urge my colleagues to vote in favor of this worthwhile resolution.

I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, as a member of the Congressional Cystic Fibrosis Caucus, I rise in strong support of H.. Con. Res. 299, which supports the goals and ideals of National Cystic Fibrosis Awareness Month.

According to the Cystic Fibrosis Foundation, which is located in my congressional district in Bethesda, Maryland, more than 30,000 Americans suffer from cystic fibrosis. Approximately 1,000 new cases of cystic fibrosis are diagnosed each year. It is an inherited chronic disease that causes thick mucus to build up in the lungs and other organs, causing life-threatening lung infections and serious digestive complications.

We have made significant progress in fighting cystic fibrosis, but there is still much more to do. In the 1950s, few children with cystic fibrosis were expected to live to attend elementary school. Today, thanks to past funding of cystic fibrosis research, people with cystic fibrosis can expect to live into their thirties and forties. While that figure is still unacceptably low, it is cause for hope for those living with the disease and their families. We must continue to fund cystic fibrosis research at the National Institutes of Health so that new treatments and, hopefully, a cure, can be developed in which people with cystic fibrosis can live a normal life expectancy. And we must continue to raise public awareness and education about cystic fibrosis, and to increase support for those affected by the disease.

Mr. Speaker, I am proud to be a cosponsor of this resolution, and I encourage my colleagues to join me in supporting it.

Mrs. CAPPS. Mr. Speaker, I have no further requests for time.

I would like to thank the leadership of Energy and Commerce Committee and the authors of the legislation and the demonstration of strong bipartisan support for this resolution, and urge our colleagues to support and pass House Concurrent Resolution 299, as it has been amended.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. CAPPS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 299, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

COMMENDING THE 2008 WOMEN'S COLLEGE WORLD SERIES CHAMPION ARIZONA STATE SUN DEVILS

Mr. BISHOP of New York. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1323) commending the Arizona State University softball team for their victory in the 2008 Women's College World Series.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1323

Whereas, on June 3, 2008, the Arizona State University Sun Devils won the 2008 NCAA Women's College World Series with a resounding 11 to 0 defeat over the Texas A&M Aggies;

Whereas this win marked the first national title for Arizona State University in softball;

Whereas the Arizona State University Sun Devils set a record for the highest margin of victory during a championship game in the NCAA Women's College World Series history;

Whereas the Arizona State University women's softball team won an impressive 66 games this season and went 56 to 5 during the season and went 10 for 10 in the post season under the leadership of Coach Clint Myers;

Whereas super slugger Kaitlin Cochran set a new, NCAA single-season record by drawing 29 intentional walks;

Whereas pitcher Katie Burkhart earned Most Valuable Player honors in the Women's College World Series with 53 strikeouts and a perfect record of 5 wins to 0 losses;

Whereas the Arizona State University coaching staff, comprised of Head Coach Clint Meyers and Assistant Coaches Kirsten Voak and Robert Wager, was named the NFCA's NCAA Division I National Coaching Staff of the Year;

Whereas 6 players, were named to the Louisville Slugger/NFCA All-Pacific Region Team;

Whereas 5 of those 6 players, Katie Burkhart, Mindy Cowles, Krista Donnenwirth, Kaitlin Cochran, and Jackie Vasquez, advanced to earn Louisville Slugger/NFCA All-America honors;

Whereas the Arizona State University softball team earned the enthusiastic support of students, faculty, alumni, and Sun Devils fans across the country during their national championship season; and

Whereas the Arizona State University softball team is an inspiration to student athletes in Arizona and across the United States: Now, therefore, be it

Resolved, That the United States House of Representatives—

(1) commends the Arizona State University softball team for their victory in the 2008 Women's College World Series;

(2) recognizes the achievements of the players, coaches, students, and staff whose hard work and dedication helped the Arizona State University Sun Devils win the championship; and

(3) directs the Clerk of the House of Representatives to transmit a copy of this resolution to Arizona State University President Michael Crow, softball Coach Clint Myers, and Athletic Director Lisa Love for appropriate display.

The SPEAKER pro tempore (Mr. PASTOR). Pursuant to the rule, the gentleman from New York (Mr. BISHOP) and the gentleman from Delaware (Mr. CASTLE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. BISHOP of New York. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 1323 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BISHOP of New York. Mr. Speaker, I yield myself such time as I may consume.

I rise today to congratulate the Arizona State University softball team for their victory in the 2008 NCAA Division I tournament.

On June 3, softball fans were treated to an exceptional game as the Arizona State Sun Devils defeated the Texas A&M Aggies and clinched their first national title.

□ 1200

The resounding 11–0 defeat is the largest margin of victory for a championship game in Women's College World Series history.

I want to extend my congratulations to Head Coach Clint Meyers and Assistant Coaches Kirsten Voak and Robert Wagner. This talented coaching staff was named the NFCA's NCAA Division I Coaching Staff of the Year for their outstanding leadership during the 2008 season. Coach Meyers returned to his alma mater 3 years ago and picked up his first Pacific-10 Coach of the Year honor this season. He has now led the school to its first conference championship and national title in softball.

Congratulations are also in order for pitcher Katie Burkhart who was named the Most Valuable Player in the Women's College World Series. Burkhart, a senior from San Luis Obispo, California, also struck out an impressive 53 batters during the World Series and posted a perfect record of 5–0. In her tenure at Arizona State, Burkhart has amassed 15 shutouts and 3 saves in her 32 career starts.

And for Kaitlin Cochran, a junior from Yorba Linda, California, who hit a three-run homer in the fifth inning of the final game to give the Sun Devils a 4–0 lead. In fact, Cochran was such a big offensive force this season that she was intentionally walked a record 29 times. Cochran was also named the Pac-10 conference Softball Player of the Year and earned the Conference's batting title for the third year in a row.

The extraordinary achievements of this year is a tribute to the skill and dedication of the many players, coaches, students, alumni, families and the fans that have helped to make Arizona State University a premiere softball program. Winning the National Championship, finishing the season with a 66–5 overall record, and winning the Pac-10 Conference championship has brought national acclaim to Arizona State University. I know the fans of the university will revel in this accomplishment as they look forward to the 2009 season.

Mr. Speaker, once again I congratulate the Arizona State University softball team for their success, and I reserve the balance of my time.

Mr. CASTLE. Mr. Speaker, at this time I yield to the gentlewoman from North Carolina (Ms. FOXX) such time as she may consume.

Ms. FOXX. Mr. Speaker, I want to thank my colleague from Delaware for yielding me some time. I want also to congratulate the Arizona State University softball team for its championship. And I think a lot about what is happening to American families this year, this summer, as they want to go out and watch their children play softball, watch their children play baseball, get involved in other sports, and realize how the price of gasoline is impacting that opportunity, those opportunities that they would like to have. They want to be able to do all those things they have been doing for years.

We live in the greatest and freest country in the world, but we are in danger right now because we are not energy independent. We are very dependent on importing oil and gas. But the American people understand we don't have to do that; that we can be energy independent. And what they want us to do is what the Republicans have said we should do, which is develop an all-of-the-above strategy.

There is poll after poll after poll to show that the American people want access to more American-made energy which will help alleviate the pain at the pump.

What is stopping us from doing that? One group of people, Washington Democrats, the leadership of this House of Representatives and the Senate. They alone stand in the way of exploration for new domestic resources that will immediately bring down the price of gasoline and allow these families to pursue their summer pursuits.

I want to quote from some polls that have recently been done, again, which back up what House Republicans want to do, all of the above. We want conservation, we want increased use of alternative and renewable energy, and we want environmentally sound production of American resources.

Fox News Poll: 76 percent of Americans ''support immediately increasing oil drilling in the United States. More than seven in 10 Democrats hold this view.''

CNN/Opinion Research Poll: ''73 percent of the more than 1,000 Americans surveyed from June 26 to June 29 said they favored offshore drilling for oil and natural gas in U.S. waters.''

The Los Angeles Times/Bloomberg Poll: ''When all registered voters were asked whether they support increased exploration for oil and natural gas, 68 percent responded in the affirmative.''

Rasmussen Reports: ''According to Rasmussen, 67 percent of Americans support oil drilling off the Nation's coast, 64 percent think it will lower gas prices.'' We all know the minute we announce we are going to drill, we are going to see lower gas prices.

The IBD/TIPP Poll: ''Support for offshore drilling and oil shale development is also broad-based, with the former favored by 64 percent of respondents and the latter by 65 percent.''

Reuters/Zogby Poll: ''Most Americans support more U.S. oil drilling. 59.6 percent of Americans surveyed in that poll released June 18 said they favor government efforts to boost domestic drilling and refinery construction to cool record prices.''

Again, I want to congratulate the Arizona State University softball team on their national championship. And I want to say to the Democrats, give us more American-made resources and let Americans pursue going to baseball games, going to softball games, and taking their families to all their summer entertainment this summer.

Let's lower the price of gasoline and make it possible. Stop standing in the way.

Mr. BISHOP of New York. I wasn't sure that we were here to discuss energy. But since the subject has been broached, let me say that the messaging continues. The messaging clearly is to blame the Democrats for a problem that, in fact, grows out of legislation that was pushed by the Republican majority.

The Energy Policy Act of 2005 that was passed in this Chamber, most Democrats voted against it. Most Republicans voted for it. It is an energy policy that was written by the secret energy task force convened by the Vice President. And at the time that was written in 2005, the Energy Information Administration predicted that it would do absolutely nothing to reduce the price of gasoline at the pump, and would most likely result in an increase in the price of gas at the pump. And guess what? Here we are 3 years later and that is exactly what has happened as a result of the policy that was put in place by the Republican leadership of this chamber and the Republican White House.

And so what the messaging is about is about blaming Democrats for a policy and a situation that exists as a result of Republican-enacted legislation.

Let me say one other thing, and that is, that what the American people deserve is a short-term solution and a long-term solution, and increased drilling provides neither. If the President and the Republicans were truly interested in a short-term solution they would join the Democrats in this Congress and they would urge the President to release 70 million barrels of oil from the Strategic Petroleum Reserve, something that would almost undoubtedly immediately bring down prices at the pump. And if they were interested in a long-term solution, they would join us in embarking on a policy that would give us a clean and independent energy future that would reduce our demand on foreign oil.

With that, I would like to yield as much time as he may consume to the gentleman from Arizona (Mr. MITCHELL).

Mr. MITCHELL. Mr. Speaker, I rise today to commend the Arizona State University softball team for their championship victory in the 2008 Women's College World Series.

On June 3, 2008, the Arizona State University Sun Devils won the 2008 NCAA Women's College World Series after trouncing Texas A&M Aggies 11–0. Not only did this win mark the first national title for Arizona State University in softball, but the Lady Sun Devils also set a record for the highest margin of victory in a championship game in the NCAA Women's College World Series history.

Arizonans and a national television audience shared in the excitement, pride and sportsmanship ASU players displayed, both on the field and in the dugout during this inspiring victory.

Furthermore, the ASU softball team played an excellent season, winning an impressive 66 games. Under the leadership of Coach Clint Meyers, the Sun Devils went 56–5 during the season, and 10-for-10 in the post season. This team succeeded with the hard work, grit and determination of the players, coaches and staff.

Outstanding players in the Women's College World Series include super slugger, Kaitlin Cochran, who set a new NCAA single season record by drawing 29 intentional walks.

Star pitcher Katie Burkhart earned Most Valuable Player honors in the Women's College World Series with 53 strikeouts and a perfect record of five wins and zero losses.

Six of the lady Sun Devils were also named to the Louisville Slugger National Fastpitch Coaches Association All-Pacific Region team. Five of these players, Katie Burkhart, Mindy Cowles, Krista Donnenwirth, Kaitlin Cochran and Jackie Vasquez, advanced to earn Louisville Sluggers/NFCA All-American honors.

This team of course owes a great deal of its success to the superb ASU coaching staff, including Head Coach Clint Meyers and Assistant Coaches Kirsten Voak and Robert Wagner, who have been named to the NFCA's NCAA Division I National Coaching Staff of the year.

As an alumnus of ASU, I am honored and excited to see a team from my alma mater accomplish this feat. This is truly a victory for Sun Devils everywhere. The championship title has been a long time coming for this team, and these women showed that true dedication and persistence can, indeed, pay off.

I ask my colleagues to join me in celebrating the remarkable success of this team whose achievements and camaraderie should be models for other teams across the country.

Go Devils.

Mr. CASTLE. Mr. Speaker, I yield myself such time as I may consume.

I would also like to congratulate the Arizona State University softball team. I watched some of the softball on television, and these are dynamic athletes doing a wonderful job of dealing with what has become a very fast sport.

This team was extraordinary. Their victory against Texas A&M in the World Series, 11–0 victory shows just how great they really are.

Beyond that though, I would just like to say that the Arizona State softball is not only an inspiration to student athletes in Arizona and across the United States, but a beacon of higher education as well. Arizona State University is a knowledge and discovery enterprise advancing teaching and research focused on the most pressing challenges that confront global society. A comprehensive public metropolitan research university enrolling more than 60,000 undergraduate, graduate and professional students on four campuses. ASU is a federation of unique colleges, schools, departments and research institutes that comprise close-knit but diverse academic communities that are international in scope. ASU champions intellectual and cultural diversity and welcomes students from all 50 States and more than 100 nations across the globe.

I congratulate everybody who had anything to do with the softball victory this year, and I congratulate Arizona State University on being an outstanding university in our country.

I yield back the balance of our time.

Mr. BISHOP of New York. We have no further speakers, Mr. Speaker, so I yield back the balance of my time as well.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BISHOP) that the House suspend the rules and agree to the resolution, H. Res. 1323.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

CONGRATULATING THE HAMILTON COLLEGE CONTINENTALS ON WINNING THE NCAA DIVISION III WOMEN'S LACROSSE CHAMPIONSHIP

Mr. BISHOP of New York. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1259) congratulating the Hamilton College Continentals on winning the NCAA Division III women's lacrosse championship, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1259

Whereas on May 18, 2008, the Hamilton College Continentals women's lacrosse team captured the NCAA Division III championship and completed the best season in the team's 29-year history;

Whereas the Continentals are the first team in the College's history to reach the national semifinals in any NCAA championship;

Whereas the Continentals completed the 2008 season with a remarkable 21–1 record and won 19 straight games, which is the longest winning streak in Division III women's lacrosse;

Whereas the Continentals are led by team captains Tara Eckberg of Castle Rock, CO; Jen McGowan of Jericho, VT; Nicole Tetreault of Guilderland, NY; and are comprised of the following outstanding players: Kate Fowler of Branford, CT; Allie Shpall of Greenwood Village, CO; Laura Stern of Shaker Heights, OH; Becca Green of Wynnewood, PA; Matilda Andersson of Annapolis, MD; Kayla Bettenhauser of West Babylon, NY; Katie White of Stonington, CT; Kate Marek of Alexandria, VA; Audrey Nebergall of Tiverton, RI; Kriti Dave of Newton, MA; Liz Rave of Huntington, NY; Hilary Saverin of New Canaan, CT; Kaillie Briscoe of Orangeville, Ontario; Anne Graveley of Queensbury, NY; Katie Gambir of Darien, CT; Sarah Bray of Rockville, MD; Catie Gibbons of Clarks Summit, PA; and Liz Benjamin of Garrison, NY;

Whereas head coach Patty Kloidt, assisted by Amanda Nobis and Mackay Rippey, merit recognition and praise for guiding the Continentals to their championship win, and were named the Liberty League Coaching Staff of the Year in 2008, and Patty Kloidt was named 2008 NCAA Division III Coach of the Year by the Intercollegiate Women's Lacrosse Coaches Association;

Whereas four Continentals won All-America awards this year, six players were selected to the all-region team, and nine players were selected to the all-league team; and

Whereas the Continentals are shining examples of the products of hard work and commitment, and have inspired and brought pride to their community as well as their loved ones and the students and alumni of Hamilton College: Now, therefore, be it

Resolved, That the House of Representatives congratulates the Hamilton College Continentals on winning the NCAA Division III women's lacrosse championship and commends them on their contributions to Hamilton College, women's athletics, and the sport of lacrosse.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. BISHOP) and the gentleman from Delaware (Mr. CASTLE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. BISHOP of New York. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 1259 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BISHOP of New York. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today to congratulate the Hamilton College Continentals women's lacrosse team for their victory in the 2008 NCAA Division III tournament.

On May 18, Hamilton College Continentals women's lacrosse team celebrated their NCAA Division III championship title after defeating the Franklin & Marshall College Diplomats 13–6 in Salem, Virginia.

□ 1215

This was the first NCAA championship title for not only the woman's lacrosse team but also for Hamilton College. However, amidst the recognition of this single moment, the individuals that constituted this significant occasion should be the main focus of praise. Each individual's hard work and dedication in the course of the entire season should be noted and celebrated.

First, I want to recognize Nicole Tetreault, class of 2008. As a result of her outstanding performances throughout the season, she has received numerous awards and recognitions including 2008 Liberty League Player of the Year, 2008 NCAA Division III All-Tournament team, First Team All-America for the second consecutive year, and 2008 ESPN The Magazine's Academic All-America Women's At-Large Team. Furthermore, Tetreault was granted the honor of Academic All-American, a recognition given to exceptional athletes who also demonstrate academic excellence. Tetreault has proven to be an admirable role model to students and athletes alike.

Additionally, I want to extend my congratulations to head Coach Patty Kloidt who has propelled Hamilton College's women's lacrosse program forward ever since she assumed the position 6 years ago. Kloidt rightfully received the NCAA Division III Women's Lacrosse title Coach of the Year. Moreover, Kloidt and her assistant coaches, Amanda Nobis and Mackay Rippey, were named the Liberty League Coaching Staff of the Year in 2008. They are an excellent representation of outstanding leadership.

The Hamilton College women's lacrosse team made many more accomplishments apart from the ones already mentioned. Four of the women Continentals won All-American awards and six were selected to the All-Region team. They had an impeccable season with a record of 21–1, winning 19 straight games. And I'm sure their lacrosse program will only move forward with many victories in years to come.

It is very rare that a team is granted with an exceptional coaching staff and athletic ability. Yet it takes tremendous leadership and teamwork for potential to be fully realized and for any team to perform at their best. Again, I do not only congratulate the Continentals for their championship title, but the exceptional individuals that made the victory possible. These athletes and coaching staff are truly an outstanding model for any group to refer to, whether it is athletics, academics, or politics as an example of cooperation, tenacity, and excellence.

Mr. Speaker, I once again congratulate the Hamilton College Continental women's lacrosse team 2008 NCAA Division III championship title.

I reserve the balance of my time.

Mr. CASTLE. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of House Resolution 1259, congratulating the Hamilton College Continentals on winning the NCAA's women's lacrosse championship.

On May 18, 2008, the Hamilton College Continentals women's lacrosse team captured the NCAA Division III championship and completed the very best season in the team's 29-year history. The 13–6 victory over the Franklin & Marshall Diplomats secured Hamilton's first national title in any sport.

The Continentals entered the weekend as the number four-ranked team in Division III but knocked off number one Salisbury University 11–10 on Saturday before they defeated the defending champion and third-ranked Diplomats. Hamilton also avenged a 14–13 loss to Franklin & Marshall suffered in Florida on March 19. The loss was the lone blemish on the Continentals' 2008 record. The Continentals completed the 2008 season with a remarkable 21–1 record and won 19 straight games, which is the longest winning streak in Division III women's lacrosse.

Four Continentals earned All-American awards this year. Six players were selected to the All-Region team, and nine players were selected to the All-League team. The Continentals are truly shining examples of the products of hard work and commitment, and they have inspired and brought pride to their community as well as their loved ones and the students and alumni of Hamilton College.

Head Coach Patty Kloidt also merits recognition and praise for guiding the Continentals to their championship win. Coach Kloidt and her staff were named the Liberty League Coaching Staff of the Year in 2008. Coach Kloidt was also named the NCAA Division III women's lacrosse coach of the year.

While the accomplishment of capturing a national athletic title deserves our recognition today, we should also take a moment to reflect on Hamilton's commitment to academics. Hamilton is a liberal arts college with an emphasis on individualized instruction and independent research and is a national leader in teaching effective writing and persuasive speaking. Founded in 1973 as the Hamilton-Oneida Academy, it is the third oldest college established in New York State. Hamilton's curriculum provides its highly motivated students with both the freedom and responsibility to make educational choices that emphasize breadth and depth. In short, Hamilton College is the finest college in the United States.

I graduated from there 40-some years ago.

Through independent projects, The Senior Program, and summer internships with faculty, Hamilton provides an increasing number of opportunities for students to engage in significant—often publishable—research at the undergraduate level.

I am happy to join my colleagues in honoring Hamilton for its many achievements. I extend my congratulations to Hamilton's President Joan Stewart, Athletics Director Jon Hind, Head Coach Patty Kloidt and her staff, the players, the fans and to Hamilton College.

I urge my colleagues to support this resolution.

Mr. Speaker, I have no additional speakers. I'm prepared to yield back my time.

Mr. BISHOP of New York. Before I close, let me congratulate Mr. CASTLE on the success of his alma mater.

Mr. ARCURI. Mr. Speaker, I rise today in strong support of H. Res. 1259, to congratulate the Hamilton College Lady Continentals on their NCAA Division III women's lacrosse championship.

Mr. Speaker, I am proud to stand here today and represent such a talented group of athletes in New York's 24th Congressional District. The Hamilton Continentals this year completed the best season in the college's 29-year women's lacrosse history, and are the first team at the college to ever reach the national semifinals in any NCAA championship.

This truly phenomenal team has demonstrated passion and commitment to their sport, racking up an impressive 21–1 record this year and creating the longest winning streak in Division III women's lacrosse. This group of 20 athletes knows the true meaning of teamwork, while also proving that they are each formidable opponents on the field through their impressive individual records.

Ten Hamilton players have garnered an amazing total of 11 All-America awards throughout their college careers. This year alone, four Continentals won All-America awards this year, six players were selected to the all-region team, and nine players were selected to the all-league team.

Hamilton College, located in Clinton, NY, is a nationally-recognized liberal arts college that consistently ranks in the top 20 liberal arts institutions across the Nation. The college receives applications from around the country and around the world, contributing to a student body with diverse interests and talents with a great potential for achievement and innovation. Given the college's commitment and the dedication of their students, there is no doubt that it will continue its centuries-long tradition of excellence in scholastics and, now, athletics.

The accomplishments of the Hamilton Lady Continentals cannot be applauded without commending the efforts of their coaching staff. Head Coach Patty Kloidt, and assistants Amanda Nobis and Mackay Rippey, have guided the Lady Continentals to victory this year. This nurturing and inspiring coaching team was named the 2008 Liberty League Coaching Staff of the Year, and Head Coach Patty Kloidt was recently named 2008 NCAA Division III Coach of the Year by the Intercollegiate Women's Lacrosse Coaches Association. On behalf of my colleagues in Washington and in my district, I wish to congratulate this team on their success and recognition.

Mr. Speaker, I urge my colleagues today to support this resolution congratulating the Hamilton College Lady Continentals women's lacrosse team, and to support them in their future endeavors as they continue to inspire athletes across the country.

Mr. BISHOP of New York. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from New York (Mr. BISHOP) that the House suspend the rules and agree to the resolution, H. Res. 1259, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

CONGRATULATING 2008 NCAA BASEBALL CHAMPION FRESNO STATE BULLDOGS

Mr. BISHOP of New York. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1327) congratulating the 2008 National Collegiate Athletic Association (NCAA) Division I Baseball Champions, the Fresno State Bulldogs, on an outstanding and historic season, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1327

Whereas California State University, Fresno, better known as Fresno State, was founded in 1911 and has offered advanced degrees since 1949;

Whereas Fresno State has one of the top Agriculture Sciences and Technology programs in the California State University system, with a worldwide reputation in water technology, more than 200 awards for student-produced wines, and research having global impact in the areas of food production, land preservation, and irrigation;

Whereas Fresno State's Craig School of Business has been recognized in the Princeton Review's top business schools and is nationally acclaimed for its Lyles Center for Innovation and Entrepreneurship;

Whereas Fresno State also offers well-regarded programs in schools or colleges devoted to arts and humanities, health and human services, education and human development, social sciences, physical sciences, and mathematics and engineering;

Whereas Fresno State is home to approximately 19,000 undergraduate students, 2,200 graduate students, and nearly 1,000 post-baccalaureate students;

Whereas in the recent Western Association of Schools and Colleges accreditation process, Fresno State was commended as a ''national model for institutions interested in becoming generators of social mobility, economic development, and student success'';

Whereas Fresno State prepares its students to prosper in their chosen careers by being responsible citizens in their communities, as well as in the State, Nation, and world;

Whereas all Fresno State athletic programs pride themselves on recruiting male and female athletes from local high schools and junior colleges;

Whereas every member of this year's championship baseball team is from California, with many players hailing from such San Joaquin Valley towns as Fresno, Clovis, Bakersfield, Visalia, Hanford, and Turlock;

Whereas the Fresno State Bulldogs baseball team beat the University of Georgia Bulldogs two games to one to win the 2008 College World Series;

Whereas the Fresno State Bulldogs opened the College World Series with a victory over sixth-seeded Rice University and had two wins over number-two national seed University of North Carolina at Chapel Hill;

Whereas the Bulldogs hit 14 home runs, the second most in College World Series history, and set the record for the most extra-base hits, runs batted in, and total bases in a championship game;

Whereas the Bulldogs became the first team in College World Series history to score at least 17 runs more than once in the same College World Series;

Whereas the Bulldogs became the first number-four regional seed to reach the College World Series since the tournament expanded in 1999;

Whereas all 10 of the Bulldogs' postseason wins have come against teams ranked in the top 15, including its final 7 wins over national seeds;

Whereas the Bulldogs played on the road for over 40 days;

Whereas, throughout the College World Series, the Bulldogs won 6 elimination games, including a 19–10 victory over the University of Georgia Bulldogs in the championship series;

Whereas, for the third consecutive season, the Bulldogs earned a preseason ranking in Collegiate Baseball Newspaper's Fabulous 40 and an 18th-place ranking from Baseball America Magazine;

Whereas the Bulldogs won 47 games and lost 31 games during the 2008 season;

Whereas 7 members of the Bulldog team were named to the Preseason All-Western Athletic Conference Team;

Whereas on May 17, 2008, the Bulldogs won their third straight Western Athletic Conference championship;

Whereas on May 25, 2008, the Bulldogs won their third straight Western Athletic Conference tournament after beating the University of Nevada;

Whereas the Bulldogs had not played in a College World Series since 1991;

Whereas the Bulldogs won the Long Beach Regional and Tempe Super Regional tournaments, and beat 3rd-ranked Arizona State University, 6th-ranked San Diego University, and 11th-ranked Long Beach State University;

Whereas head coach Mike Batesole was named the 2008 National Coach of the Year, the second time in 10 years he has won the award;

Whereas Steve Susdorf was named the Western Athletic Conference Player of the Year, Tanner Scheppers was named the Western Athletic Conference Pitcher of the Year, Danny Muno was named the Western Athletic Conference Freshman of the Year, and head coach Mike Batesole was named the Western Athletic Conference Co-Coach of the Year;

Whereas Steve Susdorf, Tanner Scheppers, Erik Wetzel, Alan Ahmady, and Brandon Burke earned First-Team All-Western Athletic Conference honors;

Whereas seniors Clayton Allison, Blake Amador, Jason Breckley, Brandon Burke, Jacob Hower, Ryan Overland, and Steve Susdorf and junior Kris Tomlinson have graduated or will graduate within 9 semesters, having managed their time well enough to keep up with studies and play championship baseball over 78 games and hundreds of practice sessions;

Whereas Steve Susdorf was a Western Athletic Conference All-Academic awardee for the fourth year and also won ESPN The Magazine Academic All-District and second team Academic All-America honors;

Whereas senior Clayton Allison, juniors Kris Tomlinson and Erik Wetzel, and freshmen Trent Soares and Jake Floethe were also Western Athletic Conference All-Academic performers;

Whereas Tommy Mendonca was named the College World Series Most Outstanding Player and was named to the 2008 National Collegiate Team;

Whereas Erik Wetzel, Steve Susdorf, Steve Detwiler, and Justin Wilson were named to the 2008 College World Series All-Tournament Team;

Whereas, in addition to the players who earned all-conference honors, the Bulldogs saw outstanding play from Danny Muno, Jordan Ribera, Gavin Hedstrom, and Ryan Overland;

Whereas Bulldog coaches Mike Batesole, Matt Curtis, Mike Mayne, and Pat Waer and the entire Bulldog roster and staff have earned a special place in Fresno State sports history;

Whereas many members of the Bulldog team will never play professional baseball and truly give meaning to the term ''student-athlete''; and

Whereas Fresno State's competition for the national championship has been exciting to watch for all those who have an attachment to the University, the San Joaquin Valley, and the game we call our national pastime: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the 2008 National Collegiate Athletic Association (NCAA) Baseball Champions, the Fresno State Bulldogs, on an outstanding and historic season; and

(2) recognizes that the Bulldogs, in winning their first College World Series, concluded an unprecedented season and championship that captivated baseball fans across America.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. BISHOP) and the gentleman from Delaware (Mr. CASTLE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. BISHOP of New York. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 1327 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BISHOP of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to congratulate the California State University Fresno State men's baseball team for winning the 2008 Division I College World Series.

Since June 14, the first day of the College World Series, Fresno State made an improbable run at the championship. As a fourth seed, they fought and clawed their way into the College World Series. Just to make the College Word Series, Fresno State had to win the Western Athletic Conference. Though they edged their way into the CWS, their presence was definitely felt. They gave college baseball fans across the country special treat with their amazing play.

The Bulldogs belted their way through their matchup with Rice University. This lopsided affair ended with

the final score being 17–5. The Bulldog team had a pair of home runs and eight out of the nine starters had a hit. The team steamed forward to play the second-seeded University of North Carolina. In this best-of-three series, Fresno won the first game 5–3, lost a tight second match 4–3, and sealed their championship fate beating UNC 6–1 in the final affair.

In the championship series against the University of Georgia, the Fresno Bulldogs ended up losing their first game in the best-of-three series. The Fresno players bounced back with a vengeance. They cruised to a 19–8 victory with run after run. In the final game, Fresno brought home a championship after defeating University of Georgia 6–1.

I want to extend my congratulations to Coach Mike Batesole who was named the 2008 National Coach of the Year—the second time he has won this award. He has led them through an amazing College World Series. Assistant Coaches Matt Curtis, Mike Mayne, and Pat Waer complete the coaching staff. All of them have done a stellar job preparing this confident group.

Congratulations are always in order for Tommy Mendonca for winning the College World Series MVP and for being invited to play with the USA National Collegiate Baseball Team. Mendonca hit .285 with 19 home runs, 70 RBIs and eight doubles for the College World Series champions this season. He also hit four home runs and drove in 11 runs during the College World Series.

Winning the national championship as an underdog has brought national acclaim to Fresno State. They are the lowest seed to win a College World Series and the first men's team to win a national championship for their school. These Bulldogs have earned a special place in Fresno State sports history.

I once again congratulate Fresno State for their amazing success.

I reserve the balance of my time.

Mr. CASTLE. Mr. Speaker, at this time I yield to the gentleman from California (Mr. NUNES) such time as he may consume.

Mr. NUNES. Mr. Speaker, I want to thank my colleagues, Mr. COSTA and Mr. RADANOVICH. Mr. COSTA, of course, is a very proud alum of Fresno State so he's very excited for this day, and I want to thank them both for their help on passage of this important legislation.

I rise today to congratulate my hometown baseball team, the Fresno State Bulldogs, who entered the College World Series as underdogs and against all odds succeeded in clinching the championship title. The Fresno State baseball program has had a successful history since its inception in 1922. Bulldog baseball boasts five titles, three WAC championships, 30 NCAA tournament appearances and four appearances in the College World Series. The program has produced excellent Major League Baseball players throughout their 86-year history and many other student athletes that excel both on and off the field.

The story of the Fresno State Bulldogs in the College World Series is one of outstanding achievement.

With sweat and guts, the Bulldogs won the WAC tournament merely to qualify for the College World Series Their performance at the national championship not only proved that they belonged in this elite tournament, but also left no doubt they were the best team in the Nation.

Without regard for the doubters and the critics, Fresno State baseball exhibited an uncompromising commitment to success, which is truly characteristic of this university. Challenge after challenge, they pulled through in the face of adversity and achieved the greatest victory in the school's history.

During their outstanding run at the 2008 College World Series, the Fresno State Bulldogs broke a series of records. They were the only team in College World Series history to score more than 17 runs in two separate games. The team also set records for the most home runs, most extra-base hits, most runs batted in, and most total bases in a championship game. Fresno State was the lowest seeded team to ever to win the College World Series, and this championship victory marks the highest achievement of the program in its entire history.

While they excelled as a team, some were also recognized for their exceptional individual performances. Fresno State player Tommy Mendonca was chosen as the Most Valuable Player, Most Outstanding Player in the College World Series, and was selected for the U.S.A. Baseball National Team. Coach Mike Batesole received the Coach of the Year award for the second time in his career. Many other outstanding performances are highlighted in this resolution.

The accomplishment of this team has filled the community with the utmost sense of pride. As underdogs, Fresno State overcame all the odds and achieved the much-deserved title of champions of the College World Series. Congratulations to the Fresno State Bulldogs for the tremendous achievement.

Mr. BISHOP of New York. Mr. Speaker, I wish to extend as much time as he may consume to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Speaker, I want to thank my colleague, Congressman NUNES, for the introduction of this resolution. He has the university in his congressional district. Congressman RADANOVICH and myself share the same sort of pride and enthusiasm for the university, and all three of us work very closely with the institution, we think one of the finest academic institutions in the country. Congressman BISHOP, we thank you for your kind words.

We want to recognize today the Fresno State baseball team, the Bulldogs, the Bulldogs of the West, on their victory over the University of Georgia last month to claim the 2008 NCAA Division I baseball championship of the country. Obviously, as Congressman NUNES mentioned, I am a proud alum of the University of California at Fresno State, or as we like to refer to it, the Bulldogs.

What Fresno State accomplished in their road to victory winning the national championship has all the makings of a movie. The Dogs came into the tournament, it was noted, fourth regional seed, and along the way beat prestigious powerhouse universities like Rice, the University of North Carolina, two big wins. They are the first, as was noted, fourth seed to reach the finals and win the National Collegiate Athletic Association championship in any sport in the history of our country.

□ 1230

As a matter of fact, they are the lowest seed to win a national championship, including professional sports. They went from underdogs to wonderdogs. The team played on the road for 40 straight days and 40 nights. Forty days and 40 nights they played away from home, first going to Baton Rouge to win the WAC tournament, then going back to Long Beach to win the Western tournament, and then to the super-regionals in Phoenix to win that tournament, beating the University of Arizona twice, with their record of 30–2, the University of Arizona in their home stadium; yet the Bulldogs prevailed to put themselves in the College World Series Finals.

What's important to note about this long trek, this incredible journey, is that there were five Bulldogs who made this year's College World Series All-Tournament Team. They were Erik Wetzel, Steve Susdorf, Steve Detwiler, Justin Wilson, and Tommy Mendonca. Congratulations to all of them. They were all Californians.

These truly are student athletes in the finest sense of the word. I suspect the majority of these folks will never play professional baseball, although I suspect they all might want to, and we wish them the best in their endeavors. But these were student athletes who are getting a college education and, in the meantime, enjoying those wonderful aspects of student sports for their university and for their own pride of accomplishment.

Tommy Mendonca, from Turlock, California, was named the College World Series Most Outstanding Player and was recently named to the 2008 National Collegiate Team. He comes from a strong Portuguese family, that both Congressman NUNES and I share, and we enjoyed watching him play all season long.

The character, the camaraderie, the preparation, and the ultimate performance of the success of this team flows from Coach Batsole and his wonderful staff that really made a difference.

When the team started out 8–11 at the beginning of the season, expectations diminished, but they didn't let that, with a series of injuries, put a damper on their spirit, and that spirit of the Bulldogs came back. Go Dogs!

I want to thank my friend Congressman NUNES for introducing this resolution and my dear friend Congressman RADANOVICH for his support for the university. This is a great time that we share for the Valley and for the University of Fresno State.

Mr. CASTLE. Mr. Speaker, at this time, I yield to the gentleman from California (Mr. RADANOVICH) such time as he may consume.

Mr. RADANOVICH. Mr. Speaker, I thank the gentleman from Delaware for giving me time to speak on this.

I'd like to begin first by thanking my colleagues Mr. NUNES and Mr. COSTA and Mr. CARDOZA for working with me to introduce H. Res. 1327, and congratulate the Fresno State Bulldogs on winning the NCAA Division I College World Series.

The Fresno State baseball team's journey of becoming the College World Series champion is, without a doubt, a Cinderella story. The Bulldogs faced obstacles and hardships, and yet they were able to overcome the odds to secure the college national baseball championship.

Fresno State University is known for the quality education that it has provided since its founding in 1911. For 97 years, the students of Fresno State, including its student athletes, have illustrated the university's commitment to excellence in education. Now, Fresno State will also be known for its excellence in our national pastime.

The Bulldogs' triumph has highlighted the quality athletic programs of Fresno State. The Bulldogs' baseball team is the only team in NCAA history to win a championship with a regular season record of 47 wins and 31 losses. Additionally, the Bulldogs spent over 40 long days away from home during their trek towards becoming the College World Series champions.

The achievement of the Fresno State baseball team is not just an accomplishment that can be celebrated by Fresno State University, but by all residents of California's Central Valley and by all fans of America's favorite pastime.

The Bulldogs captured baseball fans' hearts as college baseball fever spread Fresno State's colors of cardinal and blue across the Central Valley and the Nation, making this College World Series the most watched of all time according to ESPN. Radio fans tuned in to local Central Valley radio station, KMJ 580, to listen to the game.

My family and I were among those huddled around our TVs, hanging on every pitch, e-mailing the results to our son King who was away at camp. Perhaps next year, when the Bulldogs are playing for back-to-back championships, we will listen to that game on the radio.

As the lyrics in the Bulldogs' fight song state: ''So fight and give the best there is in you . . . we'll fight on to victory.'' And the Bulldogs did just that. With unwavering determination, with complete dedication, the Bulldogs gave their all, and in the end, they were victorious.

It is with great pride that I stand here with my colleagues today supporting H. Res. 1327, congratulating the Fresno State Bulldogs on their College World Series Championship. Go Dogs!

Mr. BISHOP of New York. Mr. Speaker, I continue to reserve.

Mr. CASTLE. Mr. Speaker, I'm prepared to yield back. I'd just like to make a comment or two and I will do so, and I yield myself such time as I may consume.

I would like to thank all of those who were involved in this. Mr. CARDOZA couldn't be here to speak, but I thank him as well for his interest in this.

And I would just like to congratulate everybody involved with Fresno State. I watched some of these games on television. You see a Georgia versus a Fresno State and your immediate thought is, well, gee, Georgia must be dominant in this situation as they are a very dominant athletic team in the country. But indeed, Fresno State fought to win two out of three of those games and I think deserve a tremendous amount of credit, especially considering the year that they had gone through.

This is an excellent school, and sometimes outside actions cause us to look at other things. And looking at the academics at Fresno State, which include a broad array of offices and services, including over 50 academic departments, eight colleges, a Henry Madden Library, the Division for Graduate Studies, the Division of Continuing and Global Education and dozens of centers and institutes, all these are designed to support the central academic mission of the university, that of creating an environment of engaged, student-centered learning. And they I think deserve to be congratulated for the academic side of what they're doing, as well as their great victory in the NCAA baseball tournament this year.

I congratulate them.

I yield back the balance of my time.

Mr. BISHOP of New York. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BISHOP) that the House suspend the rules and agree to the resolution, H. Res. 1327, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mrs. Wanda Evans, one of his secretaries.

RECOGNIZING AND COMMENDING THE ALVIN AILEY AMERICAN DANCE THEATER

Mr. BISHOP of New York. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1088) recognizing and commending the Alvin Ailey American Dance Theater for 50 years of service as a vital American cultural ambassador to the world, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1088

Whereas the Alvin Ailey American Dance Theater (''AAADT'') is widely recognized as one of the world's premier modern dance companies;

Whereas the AAADT is dedicated to promoting the uniqueness of the African-American cultural experience and the preservation and enrichment of the modern dance heritage to people across the globe;

Whereas, over its 50-year history, the AAADT has performed for an estimated 21,000,000 people in 48 States and in 71 countries on 6 continents;

Whereas the AAADT has an extensive touring record;

Whereas the AAADT's signature work, ''Revelations'', has been seen by more people across the globe than any other work of dance;

Whereas the AAADT performs works by both emerging and established choreographers from throughout the United States and the world;

Whereas the AAADT's home in New York City, the Joan Weill Center for Dance, is the largest facility dedicated exclusively to dance in the United States;

Whereas Alvin Ailey, founder of the AAADT, received the United Nations Peace Medal in 1982;

Whereas President George W. Bush recognized the AAADT and Artistic Director Judith Jamison with the National Medal of Arts in 2001, making the AAADT the first dance company to be honored with this award;

Whereas the AAADT has performed for United States Presidents throughout the company's 50-year history, including in 1968 for President Johnson, at the inaugural gala in 1977 for President Carter, at the inaugural gala in 1993 for President Clinton, and at the state dinner honoring President Mwai Kibaki of Kenya in 2003;

Whereas, over the years, the AAADT has represented American culture with performances at such historic events as the Rio de Janeiro International Arts Festival in 1963, the first Negro Arts Festival in Dakar, Senegal, in 1966, the fabled New Year's Eve performance for the Crown Prince of Morocco in 1978, the Paris Centennial performance at the Grand Palais Theatre in 1989, two unprecedented engagements in South Africa in 1997 and 1998, the 1996 and 2002 Olympic games, the 2005 ''Stars of the White Nights'' festival in St. Petersburg, Russia, and the 2006 Les étés de la danse de Paris festival in Paris, France;

Whereas the AAADT annually provides more than 100,000 young people from diverse cultural, social, and economic backgrounds the opportunity to explore their creative potential and build their self-esteem through

its Arts In Education and Community Programs, including 9 Ailey Camps in cities across the United States;

Whereas Ailey II, the junior company, reaches more than 69,000 people each year through its inspiring performances and outreach activities while touring to smaller communities in more than 50 North American cities; and

Whereas the Ailey School, accredited by the National Association of Schools of Dance, provides the highest quality training consistent with the professional standards of the AAADT, including a Certificate Program, a Fellowship Program, and a Bachelor of Fine Arts degree program in conjunction with Fordham University: Now, therefore, be it

Resolved, That the United States House of Representatives—

(1) recognizes and commends the Alvin Ailey American Dance Theater for 50 years of service as a vital American cultural ambassador to the world, during which it has provided world-class American modern dance to an estimated 21,000,000 people across the globe;

(2) recognizes that the Alvin Ailey American Dance Theater has been a true pioneer in the world of dance by establishing an extended cultural community which provides dance performances, training, and community programs for all people while using the beauty and humanity of the African-American heritage and other cultures to unite people of all ages, races, and backgrounds; and

(3) recognizes that Ailey II, the prestigious Ailey School, and Ailey's extensive and innovative Arts In Education and Community Programs train future generations of dancers and choreographers while continuing to expose young people from communities large and small to the arts.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. BISHOP) and the gentleman from Delaware (Mr. CASTLE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. BISHOP of New York. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 1088 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BISHOP of New York. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of H. Res. 1088 and thank Mr. NADLER for introducing this resolution. H. Res. 1088 commends the Alvin Ailey Dance Theater for its excellence, impact and service to the arts.

Alvin Ailey's Dance Theater is referred to by many as the world's premier dance company. AAADT promotes aspects of the African American experience while preserving modern dance heritage to millions across the globe. Its long-standing accomplishments and the rich global impacts speak volumes about the company's caliber of talent and unique mission.

Alvin Ailey founded AAADT in 1958. As a child, Ailey developed a keen interest in art. In his high school years, he began taking dance classes with Katherine Dunham, a pioneer of African modern dance. However, Ailey's most important influence came from Lester Horton. Horton led a team of racially mixed dancers. Ailey, however, took over the team once Horton passed away in 1953. Five years later, Alvin Ailey founded AAADT.

Both the founder and other leaders of the organization have made outstanding accomplishments and have been recognized for their contributions to the arts. In 1982 Ailey received the United Nations of Peace Medal. President George W. Bush recognized AAADT and Artistic Director Judith Jamison with the National Medal of Arts in 2001. Until that point, a dance ensemble had never received such an award. The recognition this dance company receives is well-deserved.

AAADT has performed for an estimated 21 million people in 48 States, 71 countries, and 6 continents. This company tours more than any other performing arts company. The Joan Weill Center for Dance, the studio for AAADT, is the largest facility dedicated exclusively to dance in the United States.

AAADT has performed before numerous distinguished audiences, including President Johnson, President Carter, President Clinton, and President Mwai Kibaki of Kenya. They have also represented themselves at famous historical engagements such as the Rio de Janeiro International Arts Festival, the First Negro Arts Festival in Dakar, the fabled New Year's Eve performance for the Crown Prince of Morocco, the Paris Centennial performance at the Grand Palais Theatre, South Africa, and two Olympic games.

In addition to the stellar performances, AAADT has also worked with more than 100,000 young folks every year to assist them in discovering their creative talents and help build their self-esteem through their artistic skills. The Arts in Education and Community Programs includes nine Ailey Camps across the United States. They also have implemented an Ailey II, a junior company, to train less experienced dancers to perform across North America. These young people come from various cultural, social, and economic backgrounds to come together to empower themselves and to learn art.

In recognition of 50 amazing years of excellence, let us commend AAADT for their contributions to the United States and the rest of the world. It has established an extended cultural community that provides dance performances, training, and community programs for all people while using the beauty and humanity of the African American heritage and other cultures. AAADT is irreplaceable.

Mr. Speaker, once again, I express my support for Alvin Ailey American Dance Theater, and I urge my colleagues to support this resolution.

I reserve the balance of my time.

Mr. CASTLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H. Res. 1088, recognizing and commending the Alvin Ailey American Dance Theater for 50 years of service as a vital American cultural ambassador to the world.

The Alvin Ailey American Dance Theater was formed in March 1958. Led by Alvin Ailey and a group of young African American modern dancers, their combination of technique, repertoire, and high-energy performances changed forever the perception of American dance.

The dance company began to travel throughout the country, and in 1960, the AAADT became a resident company of the 51st Street YWCA's Clark Center for the Performing Arts. It was during this time period that Ailey choreographed his signature work ''Revelations'' which has been seen by more people across the globe than any other work of dance. In 1962, the company was chosen to tour the Far East, Southeast Asia, and Australia as part of President John F. Kennedy's ''President's Special International Program for Cultural Presentations.''

AAADT made its performance at the New York City Center in 1971, where it is currently the resident company. AAADT celebrated its 25th anniversary in 1980 and its founder, Alvin Ailey, received the United Nations Peace Medal in 1982. When Ailey died in 1989, Judith Jamison, a former principal dancer, assumed the role of artistic director.

Despite the loss of its founder, AAADT has thrived. Following tours in Russia, France, and Cuba in the 1990s, as well as residency in South Africa in 1997, the Alvin Ailey Dance Foundation broke ground for a new dance complex in Manhattan. It is the largest facility dedicated exclusively to dance in the United States.

Every year the company provides more than 100,000 youth from diverse backgrounds the opportunity to explore their creative potential and build their self-esteem through its Arts in Education and Community Programs, including nine Ailey Camps in cities throughout the country.

Today, Alvin Ailey American Dance Theater has gone on to perform for an estimated 21 million people in 48 States and in 71 countries on 6 continents, including two historic residencies in South Africa. The company has earned a reputation as one of the most acclaimed international ambassadors of American culture, promoting the uniqueness of the African American cultural experience and the preservation and enrichment of American modern dance.

I ask my colleagues to support this resolution.

I yield back the balance of my time.

Mr. NADLER. Mr. Speaker, I rise in support of this resolution honoring the Alvin Ailey American Dance Theater, which is celebrating its 50th anniversary. I would like to thank

Chairman MILLER, Ranking Member MCKEON, and the rest of my colleagues on the Education and Labor Committee for bringing this resolution to the floor.

Founded in 1958, Ailey has become widely recognized as one of the world's premier modern dance companies. In its 50-year history, Ailey has performed for an estimated 21 million people in 71 countries on six continents. The troupe's signature work, ''Revelations,'' has been seen by more people across the globe than any other work of dance.

Alvin Ailey was born into an impoverished childhood in the small, segregated town of Rogers, Texas. Dedicated to promoting the uniqueness of the African-American cultural experience, Ailey began offering opportunities to black dancers when there were few. ''Revelations,'' which draws upon the influences of black spirituals, gospel music, and blues, epitomizes the universality of art that Ailey sought to explore. Of this groundbreaking work, he said: ''Its roots are in American Negro culture, which is part of the whole country's heritage. The dance speaks to everyone.''

By 1963, the troupe had begun welcoming dancers of diverse ethnicities and backgrounds, and translating their experiences into some of the most riveting works of dance of the 20th century. The company now performs works by a wide range of choreographers, both emerging and established, from across the globe, totaling more than 200 works by over 70 choreographers.

In 1982, Alvin Ailey received the United Nations Peace Medal, and in 2001, President George W. Bush recognized the Ailey and Artistic Director Judith Jamison with the National Medal of Arts, making the Ailey the first dance company to be honored with this award.

Ailey continues to make a lasting impact in the dance world through its arts in education and community programs, which provide more than 100,000 young people from diverse cultural, social, and economic backgrounds the opportunity to explore their creative potential, not only in New York, but in cities throughout the United States. Ailey II, the junior company, reaches more than 69,000 people each year, and brings its inspiring performances to smaller communities across North America.

I am proud that Ailey calls my congressional district in New York City home, and has made the Joan Weill Center for Dance the largest facility dedicated exclusively to dance in the United States.

I wish to thank Ailey for all it has done to break cultural barriers through the arts. I especially want to thank Judith Jamison, Artistic Director, and Sharon Gersten Luckman, Executive Director, who keep Alvin Ailey's artistic and social vision alive today.

I urge all my colleagues to support this resolution congratulating the Alvin Ailey American Dance Theater for its 50 years as a cultural ambassador to the world, and thanking them for their outstanding service to future generations of artists.

□ 1245

Mr. BISHOP of New York. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BISHOP) that the House suspend the rules and agree to the resolution, H. Res. 1088, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

CONGRATULATING EAST HIGH SCHOOL IN DENVER, COLORADO, ON WINNING CITIZENSHIP COMPETITION

Mr. BISHOP of New York. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1261) congratulating East High School in Denver, Colorado, on winning the 2008 ''We the People: The Citizen and the Constitution'' national competition, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1261

Whereas in order to preserve our democracy, it is important that an indepth understanding of the documents upon which our Nation was founded is passed on from generation to generation;

Whereas students in the ''We the People: The Citizen and the Constitution'' competition demonstrate their understanding of the Constitution and the Bill of Rights, along with the documents' contemporary significance by participating in simulated congressional hearings;

Whereas the ''We the People'' competition, founded in 1987 on the bicentennial of the adoption of the Constitution, celebrates its 21st consecutive year in 2008;

Whereas in the 21 years of competition, East High School has gone to the ''We the People'' national finals 19 times, placed in the Top Ten 16 times, placed in the Top Three 8 times, and placed in the Top Two 4 times;

Whereas on May 5, 2008, East High School placed first in the national ''We the People'' competition;

Whereas East High School placed first for the second year in a row, and for the third time in the school's history, the previous times being in 2007 and 1992; and

Whereas the 27 team members exhibited an extraordinary grasp of the Constitution and the Bill of Rights: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the importance of civics education and the role of the ''We the People: The Citizen and the Constitution'' competition in promoting greater understanding and appreciation of the principles of democracy upon which our Nation was founded;

(2) congratulates the organizers, teachers, and students from across the Nation who participated in the 2008 ''We the People'' competition;

(3) congratulates the East High School team from Denver, Colorado, on winning the 2008 ''We the People'' national competition; and

(4) directs the Clerk of the House of Representatives to transmit an enrolled copy of this resolution to Denver School District Superintendent Michael Bennet and coach Susan McHugh for appropriate display.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. BISHOP) and the gentleman from Delaware (Mr. CASTLE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. BISHOP of New York. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 1261 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BISHOP of New York. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today to congratulate the students of East High School in Denver, Colorado, on winning the 2008 ''We the People: The Citizen and the Constitution'' national competition.

''We the People'' is a program that encourages civic awareness and responsibility in middle school and high school students through hands-on activities. Students discover firsthand how the Constitution and the Bill of Rights impact their everyday lives and participate in a simulated Congressional hearing. At the national level, students utilize higher order thinking skills as they demonstrate their knowledge of constitutional theory by defending a historical or contemporary issue.

For the second consecutive year, Denver's East High School won the national title. In order to receive this high honor, 27 students from East High School competed against 1,200 other participants from all 50 States. The 3-day long competition took place on Capitol Hill and involved the students completing a mock hearing. They were judged by law school professors, State supreme court justices, mayors, and others on their opening statements and their responses to follow-up questions on 17 different constitutional topics.

This competition makes the Constitution come alive and helps students connect what they are learning to contemporary issues and events. This type of learning is important not only for its academic aspects, but also for the way in which it improves our democracy. Students are able to analyze and evaluate their rights and responsibilities and apply this new knowledge to their surroundings.

Mr. Speaker, once again, I wish to congratulate the students of East High School and all the other students across the Nation that took part in the ''We the People'' competition. I hope all students have the opportunity to see civics come alive, and I encourage my colleagues to pass this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. CASTLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I also rise in support of House Resolution 1261, congratulating the East High School in Denver, Colorado, on winning the 2008 ''We the People: The Citizen and the Constitution'' national competition.

Every year since 1987, the Center for Civic Education has sponsored ''We the People: The Citizen and the Constitution,'' a competition for American high school students held in Washington, D.C.

The primary goal of the competition is to promote civic competence and responsibility among the Nation's elementary and secondary students. What makes the program successful is the design of its instructional program, including its innovative culminating activity.

The instructional program enhances students' understanding of the Constitution and the Bill of Rights, while also discovering their contemporary relevance. The culminating activity is a simulated congressional hearing in which students testify before a panel of judges. Students demonstrate their knowledge and understanding of constitutional principles and have opportunities to evaluate, take and defend positions on relevant, historical and modern day issues.

In the 21 years of competition, East High School has gone to the ''We the People'' nationals 19 times, placed in the Top Ten 16 times, placed in the Top Three eight times, and placed in the Top Two four times. However, this year East High School placed first in the national competition.

The 27 team members, under the leadership and guidance of their coach, Susan McHugh, are to be commended. I would like to take this opportunity to acknowledge the team's accomplishments.

From the earliest days of American democracy, the study of history has been essential to the preservation of freedom. This competition is a great forum in which to strengthen the teaching, study and understanding of our Nation's history and culture. ''We the People'' is a wonderful opportunity for American youth to develop an understanding of the documents upon which our Nation was founded. Therefore, I ask my colleagues to support this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. BISHOP of New York. Mr. Speaker, I yield as much time as she may consume to the gentlelady from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, I rise in strong support of House Resolution 1261.

I want to take a moment this afternoon to recognize one of the premier civics instruction programs in this country. Most of my colleagues are aware of the ''We the People: The Citizen and the Constitution'' national civics class and competition. And in this day and age, when so few Americans take American Government in school, and even fewer know who their Members of Congress are, this class is incredibly vital and this competition is vital for civics awareness among our high school students.

''We the People'' is a year-long class incorporated into high school curriculums around the country that focuses on the foundation of the U.S. Constitution and its relevance in American modern government. In this program, students are not confined to the walls of their classrooms; they have the opportunity to take their knowledge on the road, participating in a national competition against students from other schools. ''We the People'' culminates in a simulated congressional hearing right here in Washington, D.C. for the finalist teams.

In addition to learning the basic tenets of our democracy, the program teaches students valuable critical thinking, debate, and public speaking skills.

''We the People'' was first started in 1987, on the bicentennial of the adoption of the U.S. Constitution by the Constitutional Convention in Philadelphia. Since its inception, more than 28 million students and 90,000 educators have participated.

The program is sponsored by the nonprofit, nonpartisan Center for Civic Education, whose mission is to help develop and foster a well-informed citizenry through civics education. Its flagship program, ''We the People,'' is funded in part through the U.S. Department of Education under the Education for Democracy Act. And just to show how bipartisan this program is, several years ago I worked with Congressman DAN BURTON to expand funding for this important program to middle school students.

This year, as we've heard, East High School, in my congressional district in Denver, Colorado, won the competition for the second year in a row. Each year, thousands of students from around the country participate in this program, which, as I said, culminates in the hearings on Capitol Hill. These students are given questions ranging from the inadequacies of the Articles of Confederation, to the implications of Federalist No. 51, to what James Madison would think about current political topics. Frankly, Mr. Speaker, most Members of Congress would struggle to answer these questions.

I would also like to note that these students are not simply memorizing facts from stuffy 18th-century debates that they will soon forget. They are diving into real-world debates over executive power, civil liberties, and other issues that are on our front pages every day and on the agenda in this hallowed Chamber week in and week out.

I would like to say I have personal familiarity with the depth of knowledge this program gives to students because I was one of the very first volunteer coaches of the East High School team in the 1980s, well before my tenure in Congress, when I was a practicing attorney in Denver. And I can attest, these students know far more than many professors and Members of Congress about our political process and our Constitution. So, given the depth of knowledge of these thousands of high school students around the country, it really was a tremendous achievement for this year's East High School team to win the ''We the People'' competition for the second year in a row.

Under the leadership of this year's teacher and coach, Susan McHugh, and the dedication of my long-time friend and colleague, Loyal Darr, the ''We the People'' coordinator for Colorado's First District, East High School demonstrated an unrivaled expertise in constitutional issues.

To all of the dedicated students, teachers, parents and organizers of ''We the People'' nationwide, on behalf of the United States Representatives, I want to congratulate you on your accomplishments and thank you for your efforts towards promoting civic engagement, healthy debate, and an ongoing commitment to the foundations of this great country.

Mr. Speaker, I urge my colleagues to support this resolution. But more importantly, I urge my colleagues to think about the importance of civics education in this country. We need to look at the successes of Denver's East High School. We need to look at the accomplishments of ''We the People'' participants from across the Nation and their ability to dissect complex current and historic political issues. And we need to ask ourselves, do we need more civics education, or less? The answer is self-evident.

Mr. Speaker, I would like to place the names of the team and their coaches in the CONGRESSIONAL RECORD. With that, Mr. Speaker, I simply say this is a wonderful program, I'm so proud of my constituents, and I ask for an affirmative vote on this resolution.

EAST HIGH SCHOOL 2008 ''WE THE PEOPLE'' NATIONAL CHAMPIONSHIP TEAM

Isabel Breit, Nicholas Brown, Maya Burchette, Nitai Deitel, Gideon Hertz, Gideon Irving, Katherine Jablonski, Gavin Jacobs, Noah Kaplan, Brendan Lamarre, Zachary Lass, Alexandria Leenatali, Richard Londer, and Nathan Mackenzie.

Rebecca Nathanson, Alyse Opatowski, Marley Pierce, Alyssa Roberts, Paige Romer, Hayley Round, Ryan Saunders, Lindsay Shields, Jeffrey Thalhofer, Shaquille Turner, Charlotte Vilkus, Taylor Want, and Jacob Zax.

Coach: Susan McHugh; We the People coordinator, Colorado's First District: Loyal Darr.

Mr. CASTLE. Mr. Speaker, at this time I yield such time as he may consume to the gentleman from Illinois (Mr. SHIMKUS).

(Mr. SHIMKUS asked and was given permission to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I appreciate this time to be able to address. I want to commend East High School in Denver, Colorado. As a former civics teacher myself, I concur with my colleague from Colorado of the importance of teaching government and the processes of how we should do things here in Washington. Hopefully they're giving some real world examples of what we do and what we fail to do. An

example of what we fail to do is energy policy in this country.

Historically, since the Bush administration came in, crude oil was at $23 a barrel. When this new leadership came in in the House, the price of a barrel of crude oil was $58, now it stands at $145 a barrel. What we're saying here on this side of the aisle is that the trend line in this energy debate is bad, and we have to address this. That's why we've come to the floor—unfortunately we have to do it in times like this—to raise awareness that there is a plan to get away from this reliance on imported crude oil. And that answer is, do all of the above. Do all of the above: Expand our renewable portfolio; push for efficiencies; open up the Outer Continental Shelf; explore and recover gas in the Arctic National Wildlife Refuge. I was in a hearing today addressing expansion of nuclear power. Move to coal-to-liquid technologies.

Now, what's interesting about this floor, this bicameral legislative body that we have, we have a House and a Senate. The Founding Fathers, as ''We the People'' would teach, identified the House as the body that should be most outraged and be the most responsive to the public needs and demands. It is the House that's supposed to take up the clarion call when the public is angry and frustrated at their government, and it is the House that's not doing that. We're acting like we're the Senate. We're sitting back and doing nothing. We're trying to take some long-term provision instead of moving aggressively to address the energy crisis in this country.

And the people are behind us. Numerous polling is highlighting this debate. A new IBD/TIPP poll says 64 percent of Americans support Republican-led new American energy production efforts. That's not good enough? I had a telephone town hall meeting last night to my district. Three different callers referenced this poll number: 76 percent of Americans say we need more drilling, we need more supply.

The Founding Fathers, in the formation of this new Constitution that we have, would say it is the House that should be taking up this call. We're the ones who are supposed to be responding to the 76 percent of Americans, saying, ''we hear you. We're going to aggressively move to open up more supplies.''

Seventy-six percent, just over three-quarters, support immediately increasing oil drilling in the United States, more than seven in 10. And from Democrats, 71 percent of Democrats hold this view. So the populist issue that should be raised in the House is not being heard. A CNN opinion research poll, 73 percent of more than 1,000 Americans surveyed from June 26 to June 29 said they favor offshore drilling for oil and natural gas in U.S. waters. Los Angeles Times poll, 68 percent; when all registered voters were asked whether they support increased exploration for oil and natural gas, 68 percent responded in the affirmative. In a Rasmussen poll, 67 percent. According to Rasmussen, 67 percent of Americans support oil drilling off the Nation's coast. And 64 percent think it will lower gas prices.

Is anyone on the floor of the House listening to this? Sixty-seven percent. Seventy-six percent of the public want us to drill. They want us to look at our natural resources not as an environmental disaster, but as a strategic national interest.

Reuters: Most Americans support more U.S. oil drilling, some 59.6 percent of Americans surveyed in a poll. In a Gallup poll, 57 percent support drilling. Now, why is this important? Here's a news story from my congressional district, Wayne County Board. The Wayne County Board has approved covering a shortfall in the county sheriff's gasoline budget with money from the county's Public Safety Tax Fund. Members urged the sheriff to cut costs anywhere possible and to curb any unnecessary spending the remainder of the fiscal year. Why? High energy costs.

□ 1300

A transfer of funds will take place near the end of the current fiscal year.

Sheriff Jim Hinkle has announced that dramatic measures have been taken to curb gasoline consumption in his department. This is in a rural county. One major community, rural. The sheriff covers the entire county. He has initiated two-man patrols and has mandated that officers perform 2 hours of stationary patrol. I think that's an oxymoron. How can you patrol and be stationary? But energy costs are causing rural sheriffs to make a decision which does not have sheriffs driving the county roads. He has initiated two-man patrols and has mandated that officers perform 2 hours of stationary patrol with their engines turned off during each 8-hour shift.

Friends, we don't have to be in this position. Mr. Speaker, we can aggressively address these issues. The House should be the body. My colleagues on the other side should be welcoming this. We're doing what the Founding Fathers intended us to do. We are the body that should be throwing stones when the Federal Government is not hearing the cries of the public. And the cries of the public are we have got to address this problem. And how do we do it?

A current debate is the Outer Continental Shelf. We only drill and explore on 15 percent of the Federal lands in the Outer Continental Shelf, and that is the western gulf. What is off-limits by mandate by us by Federal law, we said no, you cannot go on the West Coast, you cannot go on the East Coast, you cannot go on the eastern gulf coast, thus depriving our country of billions of barrels of oil and trillions of cubic feet of natural gas.

We can change this today with a vote on the floor. In fact, yesterday the President said have at it, I will not stand in the way. Now it's up to us to address the Outer Continental Shelf, bringing on more supply to lower gas and oil prices. That's what this line here has.

Other options is when we do that, we'll get royalties, we will get Federal money, and we can expand wind and solar. The great position about our side is we are for all of the above. We want more renewables. We want more efficiency standards. We want more supply. We want more energy to lower prices.

Also I have talked about earlier coal-to-liquid technologies. Taking American coal, American jobs, mining that coal, bringing it to the surface, building a coal-to-liquid refinery, refining that coal into liquid fuel and using it for aviation. The bill coming to the floor next is honoring Nelson Mandela. South Africa is a leader on coal-to-liquid technologies. South African Airlines, that's how they operate their fleet.

And then, of course, the renewable fuel issues with biodiesel, soy diesel, ethanol, cellulosic. And the one solution is to bring on more supply.

Mr. Speaker, I appreciate this time to be able to talk about we the people and addressing the important educational aspects of our Founding Fathers. Having taught civics for 4 years at the high school level, I agree with my colleague from Colorado we can't teach the Constitution and the process more than we do today, but we have to lead by example here on the floor of the House. We cannot continue to bring regular order bills on a suspension calendar so we are not allowed a chance to amend, debate, and argue this out in front of the American people.

This is the first in a long time that the Republican side has been so right on a populous issue that the public wants and that we're right on our votes, that we welcome any chance, and, unfortunately, the only chance we have to do it is on suspension bills like we have today.

I want to thank my colleague from New York, who is a great friend and a colleague, for putting up with my ranting and raving. I want to thank the ranking member.

Mr. BISHOP of New York. Mr. Speaker, I also want to thank my friend from Illinois, who is truly a friend, and I thank him for his passion on this issue.

I would simply say that we understand and agree that we need to expand our development and research and drilling for additional supplies of energy. And I would just ask all of my friends on the other side of the aisle to join us on this side of the aisle in passing use-it-or-lose-it legislation. It is estimated by the Minerals and Management Service of the Department of the Interior that 81 percent of the known reserves of oil and natural gas are already available for lease and the vast majority of those leases are not being acted upon. So we are going to try to pass, on this side of the aisle, use-it-or-

lose-it legislation, and I would ask my friends on the other side of the aisle to join us in that effort.

With that, Mr. Speaker, I continue to reserve the balance of my time.

Mr. CASTLE. Mr. Speaker, I yield myself such time as I may consume.

In returning to the resolution at hand, congratulating the East High School in Denver, Colorado, I would just like to ask that all of us be supportive of this, not just to recognize that school but to recognize that program and what we the people have done to educate people about the Constitution and the Bill of Rights and make all of us better citizens.

Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of New York. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BISHOP) that the House suspend the rules and agree to the resolution, H. Res. 1261, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

HONORING NELSON MANDELA ON HIS 90TH BIRTHDAY

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1090) honoring the esteemed former President Nelson Rolihlahla Mandela on the occasion of his 90th birthday, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1090

Whereas Nelson Rolihlahla Mandela was born to the Thembo Dynasty in Mvezo in the Umtata District of Transkei, South Africa, on July 18, 1918;

Whereas he joined the African National Congress (ANC) in 1942 and in 1944 joined with other young dissidents to form the African National Congress Youth League (ANCYL), which embraced African nationalism and began building a mass movement;

Whereas after the National Party came to power in an all-white election in 1948 on a platform of apartheid, a system of strict racial segregation, the ANC adopted the Programme of Action, inspired by the ANCYL, which advocated the use of boycotts, strikes, civil disobedience, and noncooperation against the National Party's apartheid policies;

Whereas, in 1952, after being designated volunteer-in-chief of the Defiance Campaign Against Unjust Laws, Nelson Mandela traveled the country, organizing resistance to discriminatory legislation;

Whereas in recognition of his outstanding contribution during the Defiance Campaign, Nelson Mandela was elected to the presidency of both the ANCYL and the Transvaal region of the ANC at the end of 1952, earning him a position as deputy president of the ANC itself;

Whereas, after the banning of the ANC in 1960 and the continued violent response to the ANC's nonviolent methods, Nelson Mandela led the effort to set up Umkhonto we Sizwe (''Spear of the Nation''), the armed resistance organization of the ANC;

Whereas, in 1964, Nelson Mandela and 9 of his fellow leaders of the ANC and Umkhonto we Sizwe were arrested, charged with treason, and brought to trial for plotting the violent overthrow the Government of South Africa;

Whereas in his statement at the opening of the defense case in the historic Rivonia Treason Trial on April 20, 1964, in which he and 9 other ANC leaders were tried for 221 acts of sabotage designed to ''ferment violent revolution'' to overthrow the apartheid system, Nelson Mandela use his oratory skills as a legal advocate to lay out the reasoning for the ANC's choice to use acts of sabotage as a tactic to defeat apartheid, as doing otherwise would have been tantamount to unconditional surrender;

Whereas he closed his statement with these words: ''During my lifetime I have dedicated myself to the struggle of the African people. I have fought against White domination, and I have fought against Black domination. I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal for which I am prepared to die.'';

Whereas on June 12, 1964, 8 of the accused, including Nelson Mandela, were sentenced to life imprisonment;

Whereas, from 1964 to 1982, Nelson Mandela was incarcerated at Robben Island Prison, off the coast of Cape Town, and thereafter at Pollsmoor Prison, nearby on the mainland;

Whereas Nelson Mandela consistently refused to compromise his political demands for freedom and equality for all South Africans to obtain his freedom while in prison;

Whereas Nelson Mandela became widely accepted around the world as one of the most significant leaders of the 20th century and became a potent symbol of resistance as the anti-apartheid movement gathered strength;

Whereas the Congressional Black Caucus and other Members of Congress actively engaged in efforts to bring about an end to South Africa's apartheid system and played a key role in raising public awareness in the United States about South Africa's racist regime;

Whereas, after nearly 14 years of opposition, the Comprehensive Anti-Apartheid Act of 1986 was finally agreed to by both Houses of Congress, calling for sanctions against South Africa and establishing conditions for the lifting of such sanctions, including the release of all political prisoners including Nelson Mandela;

Whereas the Comprehensive Anti-Apartheid Act of 1986 withstood a veto by President Ronald Reagan making it the first time in the 20th century that a President had a foreign policy veto overridden by Congress;

Whereas Nelson Mandela was released from prison on February 11, 1990, after the apartheid Government of South Africa agreed to his terms for release;

Whereas, after his release, he plunged himself wholeheartedly into his life's work, striving to attain the goals he and others had set out almost 4 decades earlier;

Whereas, in 1991, at the first national conference of the ANC held inside South Africa after the organization had been banned in 1960, Nelson Mandela was elected President of the ANC;

Whereas Nelson Mandela was elected President of South Africa in that country's first democratic elections with full enfranchisement was granted were held on April 27, 1994, and was inaugurated on May 10, 1994, as the country's first indigenous African President;

Whereas, as President from May 1994 until June 1999, Nelson Mandela presided over the transition from minority rule and apartheid to a participatory democracy, winning international respect for his advocacy of national reconciliation and international peace; and

Whereas Nelson Mandela has received numerous prestigious honors, including the Nobel Peace Prize in 1993, which was shared with Frederik Willem de Klerk, the Order of Merit and the Order of St. John from Great Britain's Queen Elizabeth II, and the Presidential Medal of Freedom from George W. Bush: Now, therefore, be it

Resolved, That the United States House of Representatives—

(1) honors former President Nelson Rolihlahla Mandela on the occasion of his 90th birthday on July 18, 2008, and extends best wishes to him and his family;

(2) honors his many accomplishments on behalf of all South Africans;

(3) congratulates him for his efforts to promote dialogue to peacefully resolve conflicts between people in Africa and around the world; and

(4) celebrates his contributions to South Africa, the United States, and the international community.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PAYNE) and the gentleman from California (Mr. ROYCE) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PAYNE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PAYNE. Mr. Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume.

Let me first thank our chairman, Mr. BERMAN, for moving this resolution swiftly to the floor in light of the time sensitivity of this resolution. Let me also recognize Mr. JEFFERSON for introducing this resolution and for inviting me to join him in that endeavor.

Mr. Speaker, this Friday a living icon of freedom will turn 90 years old. His birthday already has been celebrated at more than 20 different charity events around the world. Now it's time for the United States Congress to rise in its voice of praise of Mr. Nelson Mandela in recognition of his remarkable life and the contributions that he has made to humankind.

His struggle on behalf of black South Africans confronted with the horrific system of racial hatred is legendary. It landed him in prison under harsh conditions for 27 years. Mr. Mandela will be remembered for many things, but perhaps the words he spoke at his trial sums up his effort best. He said:

''During my lifetime, I have dedicated myself to this struggle of the African people. I have fought against

white domination, and I have fought against black domination. I have cherished the ideals of a democratic and free society in which all people live together in harmony with equal opportunities. It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal which I am prepared to die for.''

Mr. Speaker, death did not claim Nelson Mandela that day or in the decades of dismal imprisonment to follow. Instead, he grew to become a figure almost larger than life, an international symbol of an oppressed people's thirst for justice. He joined the pantheon of inspirational figures whose legacy belongs to all humankind: Mahatma Gandhi, Mother Theresa, Dr. Martin Luther King, Jr. And as a measure of what he meant to us, Nelson Mandela's liberation and subsequent rise to become President of a free and democratic South Africa were greeted with joy and near disbelief around the world when it occurred.

Mr. Speaker, Nelson Mandela was born in a small village in the Eastern Cape of South Africa. His family belonged to the Thembo Dynasty, a Xhosa noble bloodline in South Africa. He was well educated, earned a law degree, set up a law practice with his long-time friend who spent 27 years with him on Robben Island, Walter Sisulu.

As a young man, Nelson Mandela joined the African National Congress, which was established in 1912 to fight for justice and equality for Africans against discrimination and unjust laws prescribed by the minority European settlers. For decades leaders of the ANC challenged the segregation system imposed on them and demanded, through petition to the courts and to the British Royalty and government, the freedoms and opportunities afforded the whites who dominated South Africa at that time.

In 1944 Nelson Mandela, along with other young educated Africans, formed the African National Congress Youth League, in large measure to shift the traditional ANC role from an elite organization to a mass-based, African nationalist movement. After the 1948 election of the Afrikaner National Party, racial segregation laws that had been adopted incoherently were codified into a comprehensive segregation policy called ''apartheid,'' creating major challenges for Mandela, the African National Congress, and its allies.

Apartheid institutionalized racism through physical and social segregation of all ethnic groups. It codified race classifications, prohibited interracial marriage, and reserved certain jobs for whites. While black Africans comprised 75 percent of the population, under apartheid they were allowed to live on only 13 percent of the worst land in the country. All public facilities were segregated by race. Black Africans were forced to carry identification cards and forbidden to be in towns preserved for whites, unless they had explicit permission to go there.

In 1964 when many fellow leaders of the ANC and its armed wing were arrested, Mandela was brought to trial with other comrades who were plotting to overthrow the government by violent means. He and his seven comrades were imprisoned for life for their leadership in opposing apartheid.

In 1989, on the strength of South Africa's own definition of the African National Congress, the United States Government listed the ANC as one of fifty-two organizations around the world as ''the more notorious terrorist groups.''

I am pleased to say that 2 weeks ago, President Bush signed into law a bill introduced by Chairman BERMAN of our committee that several of our House colleagues joined in cosponsoring to erase this injustice. Particularly, Representative BARBARA LEE was instrumental in ensuring the bill's passage in the Senate. Now Nelson Mandela and others who supported the effort of the ANC will no longer face additional security measures based solely on their association with the ANC while traveling to this country. Long overdue.

In 1993 Nelson Mandela received the Nobel Peace Prize, which he shared with former South African President F.W. de Klerk.

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He also has received the Order of Merit and the order of St. John from Queen Elizabeth II and the Presidential Medal of Freedom from George W. Bush.

Today President Mandela is revered around the world and continues to represent the values of freedom, justice and liberation for all people. He has become the champion in the fight against HIV and AIDS through his foundation. He continues to work on behalf of everyday men, women and children so that they can enjoy lives of freedom from injustice, sickness and want.

Mr. Speaker, I strongly urge my colleagues in the House to support the measure recognizing Nelson Mandela's unique contributions to humankind.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

The world recently celebrated Nelson Mandela's 90th birthday in London, and so much has been said about him. But in a world of division, a world of many deadly divisions, it's appropriate that Congress is once again making note of Mandela's legacy of unity. And I think Mr. PAYNE and the other authors of this resolution should be commended.

I should note also that I think Chairman BERMAN's legislation recently signed into law that took Mandela and other African National Congress members off the terrorism list is a move that was long, long overdue.

Nelson Mandela served 27 years in prison for opposing apartheid. At his trial, he stood in the face of the possible sentence of death. After being freed from captivity, which were very hard years on Robben Island, he easily could have let bitterness consume him. He could have sought revenge. Some predicted that South Africa would spiral into chaos suffering racial and tribal violence. So many other countries have. Many predicted a ruined economy. But fortunately for South Africans, it was Nelson Mandela who took the helm.

Mandela is a unifier. He is an exceptional unifier. Consider that he invited a former white jailer of his to attend his presidential inauguration as a guest. He invited the man who prosecuted him to a presidential lunch. He made it a point to learn the language of the Afrikaners, the architects of apartheid, and to embrace their beloved rugby, making it an obsession for the whole South African nation and signaling to all people that they had a place in the country.

With these and countless other acts of reconciliation, Nelson Mandela navigated a very treacherous transition for South Africa into majority rule. Nelson Mandela left power after serving only one term as his country's first president elected by universal suffrage. He was lionized. He could have served longer, but he stepped down. What a contrast, what a contrast to the petty tyrant to the north, Robert Mugabe of Zimbabwe who was a fellow liberation leader who instead of championing democracy as Nelson Mandela did, instead desperately clung to power bringing his country to ruin. Mandela walked away. And he hasn't meddled with his successor's presidency. And Nelson Mandela has spoken out about human rights around the world, including the tyranny of Zimbabwe.

I don't agree with every position that Nelson Mandela the politician took. He opposed America on some important issues. South Africa, in general, is too wedded to a nonaligned ideology. Yet this doesn't diminish this man's tremendous political accomplishment and his character defined by dignity, courage, warmth, humor, and so many other attributes, nor his positive impact worldwide.

South Africa isn't without many difficult challenges. The rule of law is coming under challenge because of rampant crime. Unemployment is high. Economic expectations are unrealistic. The U.S. has an interest in working with South Africa as we are to see that this young democracy meets these challenges. The future will tell. But what is certain is that South Africa would be in a far, far tougher spot were it not for the career of Nelson Mandela.

I reserve the balance of my time.

Mr. PAYNE. I yield to the gentlelady from California, a member of the Foreign Affairs Committee, Ms. LEE, for 3 minutes.

Ms. LEE. Mr. Speaker, let me thank the gentleman for yielding. But I also thank you for your leadership on this issue and so many issues relating to Africa, making sure that the continent of Africa is central in our foreign policy. Oftentimes you are the lone voice

in the wilderness. But I think you have seen the day now where there are so many of us on both sides of the aisle who are doing the right thing as it relates to the continent. Thank you, Mr. PAYNE.

Let me say how happy I am today that this resolution commemorating the 90th birthday of Mr. Mandela, one of the greatest and most beloved statesmen of the 21st century, is before us. And I have to thank our chair, Mr. BERMAN, and of course Congressman JEFFERSON who brought this resolution forward, to our ranking member on another subcommittee, Mr. ROYCE, and to all who have really worked together to make sure that we send a loud signal and raise our voices in celebration of a person whose life has triumphed. And we've lived to see the day that good has triumphed over evil and the indomitable nature of the human spirit prevails in the spirit and in the life of Mr. Mandela.

For 27 years, Nelson Mandela's struggle personified the fight against apartheid. With a very dignified defiance, he never compromised his political principles or the mission of the anti-apartheid movement. In the 1970s and in the 1980s, I proudly served as a foot soldier in that movement. Through demonstrations, boycotts, divestment campaigns and being arrested, we all expressed our outrage at the cruelty of apartheid, even while continuing to fight injustices at home in the United States.

It was really a very proud day for myself and all of us when the Congress passed legislation in 1986 sponsored by my predecessor, a great statesman, a former Congressman, now Mayor Ron Dellums, overriding President Reagan's veto imposing sanctions against South Africa, putting our country on the right side of history. Those sanctions really did help signal the death knell of apartheid. And under the leadership of our own Congresswoman MAXINE WATERS, I was very proud of the fact that she introduced sanctions in our State of California and made our State the first State to divest. And they both very recently were awarded with one of South Africa's highest honors.

Not all freedom fighters live to see their struggle bring about the changes they imagined. Nelson Mandela did. He emerged from the infamous Robben Island Prison to unite and to lead a nation transformed from racial tyranny to a thriving multiracial democracy. South Africa now guarantees equal rights for all.

President Mandela retired from political life in 1999. But he continues to lend his voice and moral authority to causes that affect the world.

The SPEAKER pro tempore. The time of the gentlewoman from California has expired.

Mr. PAYNE. I yield 1 additional minute to the gentlelady.

Ms. LEE. As I was saying, President Mandela continues to lend his voice and his moral authority to causes that affect the world such as the global AIDS pandemic, poverty and human rights. Nelson Mandela is a genuine hero to the world. So I was shocked last year, quite frankly, to learn when we were in South Africa with Congresswoman DONNA CHRISTENSEN that President Mandela and the ANC were barred from entering the United States unless they received a specific visa waiver certifying that they were not terrorists. So I'm pleased that we were able to finally rectify this indignity earlier this month when we passed, and the President signed, as Mr. PAYNE acknowledged, legislation to remove him and the ANC from the U.S. Terrorist Watch list. So I have to commend our chairman, Mr. BERMAN, Mr. ROYCE, Chairman THOMPSON, Chairman CONYERS, and again, Mr. PAYNE for their efforts to make sure that this occurred before Mr. Mandela's 90th birthday.

Just as that legislation was a fitting tribute to his legacy, this too is an opportunity for us to express our appreciation to President Mandela for his unfailing belief in the power of people to change.

Mr. ROYCE. I reserve my time.

Mr. PAYNE. Mr. Speaker, I yield 4 minutes to the gentleman from Louisiana, the sponsor of the resolution, Mr. JEFFERSON.

Mr. JEFFERSON. Mr. Speaker, I thank the gentleman for yielding, and I thank Mr. PAYNE and Chairman BERMAN for moving this resolution to the floor. And I urge my colleagues and others who have joined us in support of H. Res. 1090 to honor President Nelson Mandela's 90th birthday.

As an African proverb says, ''You cannot shave a man in his absence.'' Thus, it is better that we in the Congress honor President Mandela while he is still with us. That his life would have reached such a pinnacle of longevity would not have been foreseen, when one recalls the statement he made during his trial in 1964 in South Africa, the context in which it was made, and the ominous tone it struck. At the end of it he says, it's talking about the idea of equality for everyone in a nonracial society, he says ''it is an ideal which I hope to live for and achieve. But, if need be, it is an ideal for which I am prepared to die.''

Through the grace of God, however, he is still alive today. And because of that, South Africa and the world have become better places. As a great leader, activist and humanitarian, President Nelson Mandela brought social and political change to South Africa, and he continues to serve Africans and the disenfranchised around the world.

He was born in Transkei, South Africa, on July 18, 1918. Through his political life from 1944 to 1999, he showed courage and determination and became the symbol of resistance and freedom. But more importantly, perhaps, he championed forgiveness and redemption to the point where today he has become one of our planet's foremost moral authorities, persuading seats of power everywhere to simply do the right thing by even the simplest people.

After gaining his freedom after 27 years of imprisonment, his life sacrifices were crowned on May 10, 1994, when he was inaugurated as South Africa's first black president. I was privileged to be in South Africa on that date to witness this supremely inspirational event, as did thousands of people from around the world everywhere. I have been blessed to be in the company of Mr. Mandela on a number of other occasions, including as a member of President Clinton's delegation to South Africa in 1998 and on President Clinton's peacekeeping mission in 2000 when Mr. Mandela was seeking peace for African nations in conflict. And in June 2005, as chair of the Congressional Black Caucus Foundation, I was honored to present Mr. Mandela with the foundation's Phoenix Award representing the decision of the Congressional Black Caucus to honor him as the most significant African-ancestored person of the 20th century. President Mandela's work to transition from South Africa's apartheid rule has been widely recognized and respected. He has received numerous South African and International awards, including the Nobel Peace Prize he shared with Frederik Willem de Klerk, the Order of Merit and the Order of St. John from Queen Elizabeth II, and the Presidential Medal of Freedom from President George W. Bush.

My own alma mater in Louisiana, Southern University, renamed its school of public policy the Nelson Mandela School of Public Policy when he came to visit our school showing a great connection between us and him.

President Mandela's dream, as was the dream of Martin Luther King, Jr., for human equality is still alive in our hearts and souls today and will never die. I hope that the Members of the House and our Nation will join us in unanimously wishing the happiest of birthdays and to do so while marking his accomplishments and altruism on this special day. Let us celebrate his life and work with the international community and the people of our country and extend our best wishes to him and to his family.

Mr. ROYCE. Mr. Speaker, I continue to reserve my time.

Mr. PAYNE. Let me once again thank Chairman BERMAN for moving this legislation and all of those who cosponsored it. I thank Mr. ROYCE for his continued interest in the continent of Africa and justice in general.

And with that, I yield as much time as he may consume to the chairman of the committee.

Mr. BERMAN. I thank the gentleman for yielding. And, Mr. Speaker, I rise in strong support of this resolution. Chairman PAYNE, Congressman JEFFERSON, Congresswoman LEE and Congressman ROYCE have all pointed out

various aspects of this marvelous individual's career. There are very few people one sees in a lifetime who can inspire by their strength, their commitment, their dedication and their perseverance to a noble and idealistic cause the way that Nelson Mandela has inspired so many of us. And so I'm happy to join with my colleagues in speaking on behalf of this resolution and urging its support.

In some ways, the most fascinating thing about Nelson Mandela's career is that after that incredible struggle against the evil of apartheid and the tyranny and the indignities that were suffered by the vast majority of the population of South Africa under the very regimented and institutionalized system of apartheid that they were forced to live under, that when victory came, and the apartheid regime ended and he took over the leadership of South Africa, that he dedicated himself to the concept not of vengeance against those who had perpetrated the evil, but to bringing forth the truth and then the reconciliation with his fellow countrymen and -women.

□ 1330

And even to the point where I read that the original president, when the legislation that institutionalized apartheid was adopted in South Africa, that he invited this man who didn't start the apartheid and the segregation, but he did more than anyone else to implement the repressive policies of apartheid, that after he became president, he invited the widow of this symbol of apartheid to come to his inauguration. And when she refused, he visited her in her house to demonstrate the depths to which he believed in that process of reconciliation.

He truly was an inspirational and marvelous individual, and I obviously urge all of my colleagues to support Mr. JEFFERSON's resolution.

Mr. ROYCE. Mr. Speaker, I urge all of my colleagues to support Mr. JEFFERSON's resolution, and I yield back the balance of my time.

Mr. PAYNE. In keeping with what the chairman said, in addition to what Mr. Mandela did with the person who really codified apartheid, he invited his jailer, the one who locked and unlocked his cell door, to attend his inauguration as president because he felt that the prison guard treated him with a modicum of respect and he invited him to also attend the inauguration. This was certainly a unique person.

With that, I urge my colleagues to support the resolution.

Ms. WOOLSEY. Mr. Speaker, I rise today in support of H. Res. 1090 honoring Nelson Rolihlahla Mandela as he celebrates 90 years of life.

Mr. Mandela was born on July 18, 1918, in Transkei, South Africa, where he was given the name Rolihlahla, meaning "troublemaker," which would later seem so fitting. Throughout his early adulthood, he developed his own ideas about the oppression he had experienced which led him to join the African National Congress. His work with the ANC led him to be tried for treason. He was acquitted of the charges, but his strong opposition to South African apartheid continued.

His fight against racial segregation came to sudden halt when he was convicted and sentenced to life imprisonment for allegedly plotting to overthrow the South African government.

However, 27 years in prison could not diminish the spirit of a great leader. Once released from prison, Mr. Mandela wasted no time in becoming involved with the ANC once again. It was no surprise that this revolutionary man would become the next President of the ANC in 1990, continuing to devote himself to a multi-racial democracy for his country.

Mr. Speaker, Mr. Mandela embodies the dignity, strength, and leadership that all of us should strive for. Our country was founded on the values of freedom and liberty for all, personified undoubtedly by Mr. Mandela. He grasped these ideals and fought to make them a reality for South Africa through commitment unsurpassed by others. The dedication Mr. Mandela displayed, despite the many challenges he encountered, is deserving of our highest respect.

Mr. Mandela has undisputedly contributed to tremendous change with his efforts to peacefully resolve conflicts throughout the world. It is with great pleasure that I commend Mr. Mandela for his lifetime commitment to promoting the vision of freedom and equality for the people of South Africa.

Mr. PAYNE. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PAYNE) that the House suspend the rules and agree to the resolution, H. Res. 1090, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PAYNE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

CONDEMNING 1994 ATTACK ON ARGENTINE JEWISH CENTER

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 385) condemning the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina, in July 1994, and for other purposes.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 385

Whereas, on July 18, 1994, 85 people were killed and 300 were wounded when the Argentine Jewish Mutual Association (AMIA) was bombed in Buenos Aires, Argentina;

Whereas extensive evidence links the planning of the attacks to the Government of Iran, and the execution of the attacks to Hezbollah, which is based in Lebanon, supported by Syria, sponsored by Iran, and designated by the Department of State as a Foreign Terrorist Organization;

Whereas, on October 25, 2006, the State Prosecutor of Argentina, an office created by the Government of Argentina, concluded that the AMIA bombing was ''decided and organized by the highest leaders of the former government of . . . Iran, whom, at the same time, entrusted its execution to the Lebanese terrorist group Hezbollah'';

Whereas, on October 25, 2006, the State Prosecutor of Argentina concluded that the AMIA bombing had been approved in advance by Iran's Supreme Leader Ali Khamene'i, Iran's then-leader Ali Akbar Hashemi Rafsanjani, Iran's then-Foreign Minister Ali Akbar Velayati, and Iran's then-Minister of Security and Intelligence Ali Fallahijan;

Whereas, on October 25, 2006, the State Prosecutor of Argentina stated that the Government of Iran uses ''terrorism as a mechanism of its foreign policy'' in support of ''its final aim [which] is to export its radicalized vision of Islam and to eliminate the enemies of the regime'';

Whereas, on October 25, 2006, the State Prosecutor of Argentina identified Ibrahim Hussein Berro, a Lebanese citizen and member of Hezbollah, as the suicide bomber who primarily carried out the attack on the AMIA;

Whereas, on November 9, 2006, Argentine Judge Rodolfo Canicoba Corral, pursuant to the request of the State Prosecutor of Argentina, issued an arrest warrant for Ali Akbar Hashemi Rafsanjani, a former leader of Iran and the current chairman of Iran's Assembly of Experts and of Iran's Expediency Council, for his involvement in the AMIA bombing and urged the International Criminal Police Organization (INTERPOL) to issue an international arrest warrant for Rafsanjani and detain him;

Whereas, on November 9, 2006, Argentine Judge Rodolfo Canicoba Corral, pursuant to the request of the State Prosecutor of Argentina, also issued arrest warrants for Ali Fallahijan, a former Iranian Minister of Security and Intelligence, Ali Akbar Velayati, a former Iranian Foreign Minister, Mohsen Rezai, a former commander of Iran's Islamic Revolutionary Guards Corps (IRGC), Ahmad Vahidi, a former commander of the elite Al-Quds Force of the IRGC, Hadi Soleimanpour, a former Iranian ambassador to Argentina, Mohsen Rabbani, a former cultural attaché at the Iranian Embassy in Buenos Aires, Ahmad Reza Asghari, a former official at the Iranian Embassy in Buenos Aires, and Imad Moughnieh, a leading operations chief of Hezbollah;

Whereas, on March 5, 2007, the Executive Committee of INTERPOL unanimously supported the issuance of Red Notices for Hezbollah operative Imad Moughnieh and for Iranian officials Ali Fallahijan, Mohsen Rezai, Ahmad Vahidi, Mohsen Rabbani, and Ahmad Reza Asgari, thereby allowing arrest warrants for those individuals to be circulated worldwide with an eye to their arrest and extradition;

Whereas, on November 7, 2007, the General Assembly of INTERPOL upheld the Executive Committee's decision to support the issuance of six Red Notices in connection to the AMIA case;

Whereas, on February 12, 2008, Hezbollah operative Imad Moughnieh reportedly was killed in Syria;

Whereas in June of 2008, the Government of Saudi Arabia hosted an international Muslim conference that was reportedly attended by Iranian officials Ali Akbar Hashemi Rafsanjani, against whom an Argentine arrest warrant has been issued, and Mohsen

Rezai, against whom both an Argentine arrest warrant and INTERPOL Red Notice have been issued;

Whereas the Government of Saudi Arabia reportedly made no attempt to detain or arrest Ali Akbar Hashemi Rafsanjani or Mohsen Rezai during their time in Saudi Arabia, and the two departed Saudi Arabia without incident;

Whereas, on May 22, 2008, Argentine prosecutor Alberto Nisman filed a request with Argentine judge Ariel Lijo for the arrest of Carlos Saul Menem, who was president of Argentina at the time of the AMIA bombing, and four other former Argentine high officials in connection with the AMIA case;

Whereas Mr. Nisman claimed in his request for an arrest warrant that Menem and the other four officials had attempted to cover up the involvement of a Syrian-Argentine businessman, Alberto Jacinto Kanoore Edul, in the AMIA bombing;

Whereas Argentine investigators have stated that prior to the AMIA bombing, Mr. Kanoore Edul was in contact with at least two men who have been identified as suspects in the AMIA case;

Whereas Mr. Nisman stated in an article published on May 29, 2008, that his request for arrest warrants against Argentine nationals in the AMIA case ''does absolutely not change the accusations against Hezbollah and Iran . . . To a certain degree, it reinforces them, because [suspect Alberto Jacinto] Kanoore Edul has many links with Islamist extremists'';

Whereas during the last two years, the Government of Argentina has made significant advances in the AMIA investigation and other counter-terrorism efforts including the enactment, in July 2007, of counter-terrorism legislation which seeks to criminalize financing, fund-raising, and money laundering activities of groups linked to terrorism;

Whereas the issuance of an Argentine arrest warrant for an attaché of the Iranian Embassy in Argentina in connection with the AMIA case, indicates that Iran has used its embassies abroad as tools and extensions of radical Islamist goals and attacks;

Whereas in recent years, Iran has greatly expanded its diplomatic, political, and economic presence in the Western Hemisphere, including the opening of nearly a dozen embassies in Latin America; and

Whereas according to news reports published in June 2008, intelligence agencies in the United States and Canada have warned of significant evidence that Hezbollah, with the support of the Government of Iran, plans to launch a major attack against ''Jewish targets'' outside the Middle East, and that possible targeted areas include Canada and Latin America: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) reiterates its strongest condemnation of the 1994 attack on the Argentine Jewish Mutual Association (AMIA) Jewish Community Center in Buenos Aires, Argentina, honors the victims of this attack, and expresses its sympathy to the relatives of the victims;

(2) applauds the Government of Argentina for increasing the pace of the AMIA bombing investigation and for enacting counter-terrorism legislation;

(3) urges the Government of Argentina to continue to dedicate and provide the resources necessary for its judicial system and intelligence agencies to investigate all areas of the AMIA case and to prosecute those responsible;

(4) commends the General Assembly of the International Criminal Police Organization (INTERPOL) for upholding and issuing the Red Notices supported by the Executive Committee of INTERPOL in March 2007;

(5) expresses grave concern regarding the Government of Saudi Arabia's failure, when given the opportunity, to detain Iranian officials against whom Argentine arrest warrants or INTERPOL Red Notices are pending in connection with the AMIA case;

(6) urges all nations to cooperate fully with the AMIA investigation, including by making information, witnesses, and suspects available for review and questioning by the appropriate Argentine authorities, and by detaining and extraditing to Argentina, if given the opportunity, any persons against whom Argentine arrest warrants or INTERPOL Red Notices are pending in connection with the AMIA case, including Iranian officials and former officials, Hezbollah operatives, and Islamist militants;

(7) encourages the President to direct United States law enforcement agencies to provide support and cooperation to the Government of Argentina, if requested, for the purposes of deepening and expanding the investigation into the AMIA bombing; and

(8) urges governments in the Western Hemisphere, who have not done so already, to draft, adopt, and implement legislation designating Hezbollah as a terrorist organization, banning fundraising and recruitment activities, and applying the harshest penalties on those providing support for activities involving Hezbollah and other such Islamist terrorist organizations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentleman from California (Mr. ROYCE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BERMAN. Mr. Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume.

Mr. Speaker, on July 18, 14 years ago, a devastating bomb exploded outside the AMIA Jewish Community Center in Buenos Aires, Argentina. Eighty-five people were brutally killed and 300 wounded because they happened to be in the building at that fateful moment.

On that day, the world suffered yet another example of the consequences of radical violent religious extremism, and 85 more victims were tragically added to the list of those whose lives have been taken unnecessarily.

We recalled the shock felt in Jewish communities worldwide, and are reminded that as long as radical extremism exists, no religious group should consider itself free from persecution.

Almost a decade and a half later, the perpetrators of the AMIA bombings still have not been brought to justice.

The AMIA attack was approved in advance by Iran's supreme leader and by the highest officials of the Iranian government. The attack was orchestrated by the government of Iran and the Lebanese terrorist group Hezbollah.

Since 1994, Iran has greatly expanded its diplomatic, political, and economic presence in the western hemisphere, represented by the opening of nearly a dozen embassies in Latin America.

As the AMIA tragedy shows, Iran has made use of its embassies abroad as tools to perpetrate its radical Islamic goals. We cannot let our guard down as we face this threat of terrorism.

This legislation recognizes that in the past few years, the government of Argentina has made significant advances in the AMIA investigation, primarily through the dedication and determination of Prosecutor Alberto Nisman and those who support his work.

We celebrate, as well, that Argentina has also recently enacted counterterrorism legislation which seeks to criminalize the financing, fund-raising and money-laundering activities of groups linked to terrorism. We encourage our South American neighbor to continue pursuing the criminals of the AMIA bombing and through this legislation commit to accompany them in that pursuit.

The resolution also commends the efforts of the General Assembly of INTERPOL to uphold and implement the international arrest warrants issued for the Hezbollah and Iranian operatives. We must continue to push the entire community of nations to work together to capture and arrest those who would harm us.

Mr. Speaker, only by taking the investigation of the AMIA bombing to its ultimate conclusion, capture and punishment for those who planned it, can the community of nations show Iran, Hezbollah, and those who support terrorism that their efforts will not bear fruit.

Mr. Speaker, I want to congratulate my colleague, my friend, the ranking member of the Foreign Affairs Committee, for introducing this resolution, and urge all of my colleagues to support this important measure.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I am a coauthor also on this resolution, and I just want to say that this was the worst, most horrific bombing in the history of Argentina.

Their state prosecutor found that this attack was organized by the highest leaders of the government of Iran whom at the same time entrusted the execution of this operation to Hezbollah.

We have watched as Iran has empowered Hezbollah to the tune of hundreds of millions of dollars and sent this organization out to establish contacts throughout Central America and throughout Latin America. I would remind my colleagues that it was Mahmoud Qomati, the brother of the Hezbollah general who carried out the attacks on Lebanon, the rocket attacks in 2006. That individual was caught in our own country. His brother

was caught in our own country, having been smuggled in in the trunk of a car across California and up to Detroit. And subsequently, he and 50 of his other associates in Hezbollah here in the United States were arrested and are now serving time. They were found to have received their training from the Iranian government. They had been trained in terror tactics. They had been trained in the ability to conduct attacks.

You know, the state prosecutor of Argentina stated that the government of Iran uses terrorism as a mechanism of its foreign policy. As he said, its final link is to export its radicalized vision of Islam and to eliminate the enemies of the regime.

Chairman BERMAN is right when he says there has to be justice. We have to capture and punish those responsible. This resolution is an attempt to do that. Along with Chairman BERMAN, one of the architects of this resolution, is the gentlelady from Florida.

I ask unanimous consent to yield the control of the balance of my time to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from California (Mr. ROYCE) for his remarks, and I thank most especially our chairman of the Foreign Affairs Committee, also from California, Mr. BERMAN, who has been a joy for our side to work with on this and many other measures.

Mr. Speaker, I rise today as the author of House Concurrent Resolution 385 which is a bipartisan resolution condemning the 1994 attack on AMIA, the Argentine Jewish Mutual Association, in Buenos Aires, Argentina. I would like to thank Chairman BERMAN for working with me in bringing this bill to the floor, and I thank the gentlewoman from Nevada (Ms. BERKLEY) who will also be speaking on this. So many on our committee and beyond have joined us as cosponsors of this important resolution.

This Friday, Mr. Speaker, marks the 14th anniversary of the AMIA attack. It was the deadliest bombing in the history of Argentina. Eighty-five people were killed, and more than 300 wounded that day. In the year 2006, the government of Argentina concluded that the attack was ''decided and organized by the highest leaders of the former government of Iran who at the same time entrusted its execution to Hezbollah.''

Among those found to be responsible were a former Iranian ambassador to Argentina; a former cultural attache at the Iranian Embassy in Buenos Aires; a former official at the Iranian embassy; a former Iranian Minister of Security and Intelligence; and Ayatollah Rafsanjani, Iran's leader at the time of the AMIA bombing, who continues to wield power at the highest level of the Iranian regime.

In the year 2007, INTERPOL issued red notices for a Hezbollah operative and for five of the Iranian officials wanted by the government of Argentina in connection with the AMIA attack. This enabled arrest warrants for those individuals to be circulated worldwide with an eye toward their arrest and their extradition.

Unfortunately, the government of Saudi Arabia made no attempt to detain or to arrest two of the Iranian officials implicated in the AMIA bombing during their time in Saudi Arabia earlier this year.

□ 1345

The two departed without Saudi Arabia taking any action. The Government of the Kingdom of Saudi Arabia had a failure to detain these two individuals. That is of grave concern, and I hope that it will not be repeated by other governments.

With this in mind, House Concurrent Resolution 385 urges all responsible nations to cooperate fully with the AMIA investigation by detaining and extraditing to Argentina any persons against whom Interpol has issued red notices for their role in the AMIA attack. Agents of the Iranian regime linked to the AMIA attack must once and for all be held responsible for their reprehensible actions.

Furthermore, the evidenced complicity of Iranian embassy officials in the AMIA attack clearly demonstrates that the Iranian regime has used its embassies as tools of extension of its radical goals. It also underscores the direct threat that these actions may have toward America's own national security. As the Iranian regime continues to greatly expand its diplomatic, its political and its economic pressure in our own western hemisphere so close, it is essential that we remain mindful of the danger that this may pose to us.

In closing, I would like to commend the government of Argentina on the significant advances that it has made in the investigation of the AMIA attack and congratulate the leadership of Argentina for the efforts that they have made to prevent similar extremist attacks from taking place in the future.

I am going to continue to work with my colleagues and others in the U.S. Government to ensure that we provide any support and cooperation requested by the government of Argentina to deepen and expand the investigation into this terrible AMIA bombing.

Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I am pleased to yield to the gentlelady from Nevada, a former member of the House Foreign Affairs Committee, Ms. BERKLEY, 2 minutes.

Ms. BERKLEY. I want to thank Chairman BERMAN for yielding some time, and my dear friend, ILEANA ROS-LEHTINEN, Congresswoman from Florida, for being the prime sponsor of this resolution.

Mr. Speaker, I rise today to remember the victims of the July 18, 1994, attack on the AMIA Jewish Community Center in Argentina. I remember being rocked to my very core when I learned of this unprecedented and ruthless attack against innocent members of the Jewish community in Argentina when I first learned of it 14 years ago.

This vicious attack, which killed 85 innocent people, has been linked strongly to Hezbollah and to the government of Iran. We know all too well that Iran's saber rattling has become far more alarming of late. Hezbollah is gaining strength in Lebanon and anti-Israel, anti-Jewish groups have threatened Jewish targets all over the globe.

It is therefore vital we do everything we can to bring the perpetrators of this attack to justice. With this resolution, we applaud Argentina's efforts and urge our own President to provide law enforcement support to the government of Argentina. We also call on the Saudi regime to stop turning a blind eye to this growing threat and choose to help, rather than hinder, those who are fighting terrorists in their Middle East neighborhood.

Lastly, and perhaps most important, we ask all the nations of the western hemisphere to stand together in calling Hezbollah what it truly and really is, a terrorist organization, and not just a political party.

I thank the gentleman for yielding, and I urge support for this resolution.

Mr. KUCINICH. Mr. Speaker, I join my colleagues in condemning the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina, in July of 1994. Those responsible for the destruction and loss of human life that resulted from this attack must be held accountable. I believe that anyone who acts to destroy innocent life, regardless of their position in society or the country they are from should be subject to international scrutiny for their actions, and that includes our own officials.

In the past I have voted in favor of similar resolutions that condemned the attack on the AMIA Jewish Community Center and sought to hold accountable those responsible for this deplorable and heinous act. Accordingly, today I once again support all aspects of this resolution that calls for justice on behalf of the 85 people murdered and 300 wounded.

However, H. Con. Res. 385 is not without problems in its current form. First, the final ''Whereas'' clause of the resolution contains information that is speculative rather than factual. The resolution appears to draw this clause from an ABC News report from June 19, 2008, which provides no hard evidence to support the stated claims. Second, the resolution claims in the penultimate ''Whereas'' clause that Iran ''in recent years'' has opened ''nearly a dozen embassies in Latin America.'' In recent years, Iran has opened two embassies in Latin America, one in Colombia in 2007 and one in Nicaragua in 2007. These events brought the total of Iranian embassies in Latin America to eight. According to experts at the Congressional Research Service, CRS, the

other six Iranian Embassies in Latin America have been around for a long time and include those in Cuba, Argentina, Uruguay, Brazil, Mexico, and Venezuela.

As such, I do not agree with the decision by the U.S. House of Representatives to treat this resolution as noncontroversial. The bill could unwittingly place this Congress in the position of promoting an attack on the country of Iran through its attempt to draw parallels between Iran and those responsible for the attack on the AMIA Jewish Community Center. Instead of using speculative and factually inaccurate information which is clearly included in this bill, the resolution should be redrafted and kept to readily ascertainable facts about the unconscionable attack on the AMIA Jewish Community Center in 1994.

This body must not allow an attack on innocent people be used as a pretext for an attack on more innocent people. Indeed, we have done this once with disastrous results. I believe this House is better served by demanding sensible and responsible diplomatic foreign policy initiatives. This body should demand that the administration engage Iran immediately in high-level diplomatic negotiations without preconditions. By neglecting this duty and employing tactics that maintain an ongoing condemnation of Iran, without opening diplomatic channels, this body is systematically destroying every available route to restoring peace and security in the Middle East, which could have devastating consequences for Israel, as well as our troops in Iraq.

Mr. PAUL. Mr. Speaker, as one who is most consistently opposed to war and violence, I join my colleagues in condemning the brutal and unjustified attack on a Jewish community center in Argentina 14 years ago. I do not support this resolution, however, as it misuses a tragedy 14 years ago in a foreign country to push for U.S. war against Iran today.

Although this resolution clearly blames Iran and Hezbollah for the bombing, in fact the investigation is ongoing and far from conclusive. In an article titled ''U.S. uses probe to pressure Iran,'' the Wall Street Journal earlier this year suggested that renewed U.S. interest in this 14-year-old case is more related to politics than a genuine desire for justice. Reported the Journal,

> As tensions between the U.S. and Iran persist, Washington and its allies are using an investigation into a 1994 terrorist attack in Argentina to maintain pressure on the Iranian regime.
>
> Behind the scenes, Bush administration officials are encouraging the probe, which centers on the bombing of a Jewish community center in Buenos Aires. One U.S. goal is to cause legal problems for some of Iran's political leaders. Administration officials also hope to use the matter to highlight Iran's alleged role in financing and supporting terrorism around the world.

Those pushing for a U.S. attack on Iran are using this tragic event to foment fear in the United States that Iran and Hezbollah are perpetrating terrorist acts in the Western Hemisphere. This is another in an ongoing series of resolutions we see on the House floor pushing us toward war against Iran. I have no doubt that we will see another similar resolution on the floor next week, and the week after, and so on until we find ourselves making another tragic mistake as we did in 2002 with H.J. Res. 114 giving the President the authority to attack Iraq.

I urge my colleagues to resist this push to war with Iran before it is too late.

Mr. ENGEL. Mr. Speaker, I rise in strong support of H. Con. Res. 385, which condemns the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina, in July 1994.

I led an official congressional delegation to Buenos Aires in February and visited the leaders of the Argentine Jewish community. I saw the site of the devastating July 18, 1994, bombing of the Argentine Jewish Mutual Association. I will never forget the sadness I felt laying a wreath of flowers on the memorial to the 85 victims of the terrorist attack and will always keep in the forefront of my mind the need to bring to justice the perpetrators of that horrible crime.

Mr. Speaker, overwhelming evidence links the attacks to the government of Iran, and the execution of the bombings to Hezbollah, a terrorist organization based in Lebanon. The state prosecutor of Argentina announced this conclusion on October 25, 2006, stating that the AMIA bombing was ''decided and organized by the highest leaders of the former government of Iran, whom, at the same time, entrusted its execution to the Lebanese terrorist group Hezbollah.'' He specifically alleged that the attack was approved by Iran's Supreme Leader Ali Khamene'i and Ali Akbar Hashemi Rafsanjani, a former leader of Iran and the current chairman of Iran's Assembly of Experts and Iran's Expediency Council.

On November 9, 2006, an Argentine judge issued an arrest warrant for Rafsanjani and others for their involvement in the AMIA bombing. One year later, the General Assembly of INTERPOL issued six Red Notices, circulating the Argentine warrants in an effort to extradite the indicted Iranians.

One of the perpetrators of the AMIA bombing was Hezbollah operative Imad Moughnieh. Moughnieh was not only responsible for the act of terror in Buenos Aires, he also carried out the dastardly attack on the U.S. Marine barracks in Lebanon in 1983. This brutal terrorist was reportedly killed in Syria on February 12, 2008. While I do not know who carried out the attack on Moughnieh, it seems that justice has been done.

It is unconscionable that the entire leadership of the government of Iran was involved with the terror campaign in Argentina. We must not let the world's lead sponsor of international terror continue to get away with its criminal deeds.

I stand with the President of Argentina, Cristina Fernandez de Kirchner, and the government of Argentina, which has stepped up the pace of the AMIA investigation. The United States must continue to work with Argentina and provide any help it needs as it seeks to bring the terrorists to justice.

I stand with the peace-loving Jewish community of Argentina which, despite the horror which befell them 14 years ago, remains vital and strong. Their survival is a testament to the human spirit which will not succumb to the reprehensible designs of an evil few.

And I stand with the freedom-loving peoples around the world who know the horrors of terrorism and will not rest until the perpetrators have been apprehended and convicted in a court of law.

Again, I strongly support H. Con. Res. 385, a resolution of which I am a cosponsor, and urge my colleagues to do the same.

Ms. ROS-LEHTINEN. Mr. Speaker, we have no further requests for time, and we yield back the balance of our time.

Mr. BERMAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 385.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

> H.R. 3985. An act to amend title 49, United States Code, to direct the Secretary of Transportation to register a person providing transportation by an over-the-road bus as a motor carrier of passengers only if the person is willing and able to comply with certain accessibility requirements in addition to other existing requirements, and for other purposes.

The message also announced that the Senate has passed with an amendment a bill of the following title in which the concurrence of the House is requested:

> H.R. 3221. An act moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation.

PROVIDING FOR CONCURRENCE BY HOUSE WITH AMENDMENTS IN SENATE AMENDMENTS TO H.R. 3890, TOM LANTOS BLOCK BURMESE JADE (JUNTA'S ANTI-DEMOCRATIC EFFORTS) ACT OF 2008

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1341) providing for the concurrence by the House in the Senate amendments to H.R. 3890, with amendments.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

> *Resolved*, That upon the adoption of this resolution the bill (H.R. 3890) entitled ''An Act to amend the Burmese Freedom and Democracy Act of 2003 to waive the requirement for annual renewal resolutions relating to import sanctions, impose import sanctions on Burmese gemstones, expand the number of individuals against whom the visa ban is applicable, expand the blocking of assets and other prohibited activities, and for other purposes.'', with the Senate amendment, thereto, shall be considered to have

been taken from the Speaker's table to the end that the Senate amendment, thereto be, and the same are hereby, agreed to with the following amendments: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Beginning on August 19, 2007, hundreds of thousands of citizens of Burma, including thousands of Buddhist monks and students, participated in peaceful demonstrations against rapidly deteriorating living conditions and the violent and repressive policies of the State Peace and Development Council (SPDC), the ruling military regime in Burma—

(A) to demand the release of all political prisoners, including 1991 Nobel Peace Prize winner Aung San Suu Kyi; and

(B) to urge the regime to engage in meaningful dialogue to pursue national reconciliation.

(2) The Burmese regime responded to these peaceful protests with a violent crackdown leading to the reported killing of approximately 200 people, including a Japanese photojournalist, and hundreds of injuries. Human rights groups further estimate that over 2,000 individuals have been detained, arrested, imprisoned, beaten, tortured, or otherwise intimidated as part of this crackdown. Burmese military, police, and their affiliates in the Union Solidarity Development Association (USDA) perpetrated almost all of these abuses. The Burmese regime continues to detain, torture, and otherwise intimidate those individuals whom it believes participated in or led the protests and it has closed down or otherwise limited access to several monasteries and temples that played key roles in the peaceful protests.

(3) The Department of State's 2006 Country Reports on Human Rights Practices found that the SPDC—

(A) routinely restricts freedoms of speech, press, assembly, association, religion, and movement;

(B) traffics in persons;

(C) discriminates against women and ethnic minorities;

(D) forcibly recruits child soldiers and child labor; and

(E) commits other serious violations of human rights, including extrajudicial killings, custodial deaths, disappearances, rape, torture, abuse of prisoners and detainees, and the imprisonment of citizens arbitrarily for political motives.

(4) Aung San Suu Kyi has been arbitrarily imprisoned or held under house arrest for more than 12 years.

(5) In October 2007, President Bush announced a new Executive Order to tighten economic sanctions against Burma and block property and travel to the United States by certain senior leaders of the SPDC, individuals who provide financial backing for the SPDC, and individuals responsible for human rights violations and impeding democracy in Burma. Additional names were added in updates done on October 19, 2007, and February 5, 2008. However, only 38 discrete individuals and 13 discrete companies have been designated under those sanctions, once aliases and companies with similar names were removed. By contrast, the Australian Government identified more than 400 individuals and entities subject to its sanctions applied in the wake of the 2007 violence. The European Union's regulations to implement sanctions against Burma have identified more than 400 individuals among the leadership of government, the military, and the USDA, along with nearly 1300 state and military-run companies potentially subject to its sanctions.

(6) The Burmese regime and its supporters finance their ongoing violations of human rights, undemocratic policies, and military activities in part through financial transactions, travel, and trade involving the United States, including the sale of petroleum products, gemstones and hardwoods.

(7) In 2006, the Burmese regime earned more than $500 million from oil and gas projects, over $500 million from sale of hardwoods, and in excess of $300 million from the sale of rubies and jade. At least $500 million of the $2.16 billion earned in 2006 from Burma's two natural gas pipelines, one of which is 28 percent owned by a United States company, went to the Burmese regime. The regime has earned smaller amounts from oil and gas exploration and non-operational pipelines but United States investors are not involved in those transactions. Industry sources estimate that over $100 million annually in Burmese rubies and jade enters the United States. Burma's official statistics report that Burma exported $500 million in hardwoods in 2006 but NGOs estimate the true figure to exceed $900 million. Reliable statistics on the amount of hardwoods imported into the United States from Burma in the form of finished products are not available, in part due to widespread illegal logging and smuggling.

(8) The SPDC seeks to evade the sanctions imposed in the Burmese Freedom and Democracy Act of 2003. Millions of dollars in gemstones that are exported from Burma ultimately enter the United States, but the Burmese regime attempts to conceal the origin of the gemstones in an effort to evade sanctions. For example, according to gem industry experts, over 90 percent of the world's ruby supply originates in Burma but only 3 percent of the rubies entering the United States are claimed to be of Burmese origin. The value of Burmese gemstones is predominantly based on their original quality and geological origin, rather than the labor involved in cutting and polishing the gemstones.

(9) According to hardwood industry experts, Burma is home to approximately 60 percent of the world's native teak reserves. More than ¼ of the world's internationally traded teak originates from Burma, and hardwood sales, mainly of teak, represent more than 11 percent of Burma's official foreign exchange earnings.

(10) The SPDC owns a majority stake in virtually all enterprises responsible for the extraction and trade of Burmese natural resources, including all mining operations, the Myanmar Timber Enterprise, the Myanmar Gems Enterprise, the Myanmar Pearl Enterprise, and the Myanmar Oil and Gas Enterprise. Virtually all profits from these enterprises enrich the SPDC.

(11) On October 11, 2007, the United Nations Security Council, with the consent of the People's Republic of China, issued a statement condemning the violence in Burma, urging the release of all political prisoners, and calling on the SPDC to enter into a United Nations-mediated dialogue with its political opposition.

(12) The United Nations special envoy Ibrahim Gambari traveled to Burma from September 29, 2007, through October 2, 2007, holding meetings with SPDC leader General Than Shwe and democracy advocate Aung San Suu Kyi in an effort to promote dialogue between the SPDC and democracy advocates.

(13) The leaders of the SPDC will have a greater incentive to cooperate with diplomatic efforts by the United Nations, the Association of Southeast Asian Nations, and the People's Republic of China if they come under targeted economic pressure that denies them access to personal wealth and sources of revenue.

(14) On the night of May 2, 2008, through the morning of May 3, 2008, tropical cyclone Nargis struck the coast of Burma, resulting in the deaths of tens of thousands of Burmese.

(15) The response to the cyclone by Burma's military leaders illustrates their fundamental lack of concern for the welfare of the Burmese people. The regime did little to warn citizens of the cyclone, did not provide adequate humanitarian assistance to address basic needs and prevent loss of life, and continues to fail to provide life-protecting and life-sustaining services to its people.

(16) The international community responded immediately to the cyclone and attempted to provide humanitarian assistance. More than 30 disaster assessment teams from 18 different nations and the United Nations arrived in the region, but the Burmese regime denied them permission to enter the country. Eventually visas were granted to aid workers, but the regime continues to severely limit their ability to provide assistance in the affected areas.

(17) Despite the devastation caused by Cyclone Nargis, the junta went ahead with its referendum on a constitution drafted by an illegitimate assembly, conducting voting in unaffected areas on May 10, 2008, and in portions of the affected Irrawaddy region and Rangoon on May 26, 2008.

SEC. 3. DEFINITIONS.

In this Act:

(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms ''account'', ''correspondent account'', and ''payable-through account'' have the meanings given the terms in section 5318A(e)(1) of title 31, United States Code.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Finance of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Ways and Means of the House of Representatives.

(3) ASEAN.—The term ''ASEAN'' means the Association of Southeast Asian Nations.

(4) PERSON.—The term ''person'' means—

(A) an individual, corporation, company, business association, partnership, society, trust, any other nongovernmental entity, organization, or group; and

(B) any successor, subunit, or subsidiary of any person described in subparagraph (A).

(5) SPDC.—The term ''SPDC'' means the State Peace and Development Council, the ruling military regime in Burma.

(6) UNITED STATES PERSON.—The term ''United States person'' means any United States citizen, permanent resident alien, juridical person organized under the laws of the United States (including foreign branches), or any person in the United States.

SEC. 4. STATEMENT OF POLICY.

It is the policy of the United States to—

(1) condemn the continued repression carried out by the SPDC;

(2) work with the international community, especially the People's Republic of China, India, Thailand, and ASEAN, to foster support for the legitimate democratic aspirations of the people of Burma and to coordinate efforts to impose sanctions on those directly responsible for human rights abuses in Burma;

(3) provide all appropriate support and assistance to aid a peaceful transition to constitutional democracy in Burma;

(4) support international efforts to alleviate the suffering of Burmese refugees and address the urgent humanitarian needs of the Burmese people; and

(5) identify individuals responsible for the repression of peaceful political activity in Burma and hold them accountable for their actions.

SEC. 5. SANCTIONS.

(a) VISA BAN.—

(1) IN GENERAL.—The following persons shall be ineligible for a visa to travel to the United States:

(A) Former and present leaders of the SPDC, the Burmese military, or the USDA.

(B) Officials of the SPDC, the Burmese military, or the USDA involved in the repression of peaceful political activity or in other gross violations of human rights in Burma or in the commission of other human rights abuses, including any current or former officials of the security services and judicial institutions of the SPDC.

(C) Any other Burmese persons who provide substantial economic and political support for the SPDC, the Burmese military, or the USDA.

(D) The immediate family members of any person described in subparagraphs (A) through (C).

(2) WAIVER.—The President may waive the visa ban described in paragraph (1) only if the President determines and certifies in writing to Congress that travel by the person seeking such a waiver is in the national interests of the United States.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to conflict with the provisions of section 694 of the Consolidated Appropriations Act, 2008 (Public Law 110–161), nor shall this subsection be construed to make ineligible for a visa members of ethnic groups in Burma now or previously opposed to the regime who were forced to provide labor or other support to the Burmese military and who are otherwise eligible for admission into the United States.

(b) FINANCIAL SANCTIONS.—

(1) BLOCKED PROPERTY.—No property or interest in property belonging to a person described in subsection (a)(1) may be transferred, paid, exported, withdrawn, or otherwise dealt with if—

(A) the property is located in the United States or within the possession or control of a United States person, including the overseas branch of a United States person; or

(B) the property comes into the possession or control of a United States person after the date of the enactment of this Act.

(2) FINANCIAL TRANSACTIONS.—Except with respect to transactions authorized under Executive Orders 13047 (May 20, 1997) and 13310 (July 28, 2003), no United States person may engage in a financial transaction with the SPDC or with a person described in subsection (a)(1).

(3) PROHIBITED ACTIVITIES.—Activities prohibited by reason of the blocking of property and financial transactions under this subsection shall include the following:

(A) Payments or transfers of any property, or any transactions involving the transfer of anything of economic value by any United States person, including any United States financial institution and any branch or office of such financial institution that is located outside the United States, to the SPDC or to an individual described in subsection (a)(1).

(B) The export or reexport directly or indirectly, of any goods, technology, or services by a United States person to the SPDC, to an individual described in subsection (a)(1) or to any entity owned, controlled, or operated by the SPDC or by an individual described in such subsection.

(c) AUTHORITY FOR ADDITIONAL BANKING SANCTIONS.—

(1) IN GENERAL.—The Secretary of the Treasury, in consultation with the Secretary of State, the Attorney General of the United States, and the Chairman of the Board of Governors of the Federal Reserve System, may prohibit or impose conditions on the opening or maintaining in the United States of a correspondent account or payable-through account by any financial institution (as that term is defined in section 5312 of title 31, United States Code) or financial agency that is organized under the laws of a State, territory, or possession of the United States, for or on behalf of a foreign banking institution, if the Secretary determines that the account might be used—

(A) by a foreign banking institution that holds property or an interest in property belonging to the SPDC or a person described in subsection (a)(1); or

(B) to conduct a transaction on behalf of the SPDC or a person described in subsection (a)(1).

(2) AUTHORITY TO DEFINE TERMS.—The Secretary of the Treasury may, by regulation, further define the terms used in paragraph (1) for purposes of this section, as the Secretary considers appropriate.

(d) LIST OF SANCTIONED OFFICIALS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a list of—

(A) former and present leaders of the SPDC, the Burmese military, and the USDA;

(B) officials of the SPDC, the Burmese military, or the USDA involved in the repression of peaceful political activity in Burma or in the commission of other human rights abuses, including any current or former officials of the security services and judicial institutions of the SPDC;

(C) any other Burmese persons or entities who provide substantial economic and political support for the SPDC, the Burmese military, or the USDA; and

(D) the immediate family members of any person described in subparagraphs (A) through (C) whom the President determines effectively controls property in the United States or has benefitted from a financial transaction with any United States person.

(2) CONSIDERATION OF OTHER DATA.—In preparing the list required under paragraph (1), the President shall consider the data already obtained by other countries and entities that apply sanctions against Burma, such as the Australian Government and the European Union.

(3) UPDATES.—The President shall transmit to the appropriate congressional committees updated lists of the persons described in paragraph (1) as new information becomes available.

(4) IDENTIFICATION OF INFORMATION.—The Secretary of State and the Secretary of the Treasury shall devote sufficient resources to the identification of information concerning potential persons to be sanctioned to carry out the purposes described in this Act.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to prohibit any contract or other financial transaction with any nongovernmental humanitarian organization in Burma.

(f) EXCEPTIONS.—

(1) IN GENERAL.—The prohibitions and restrictions described in subsections (b) and (c) shall not apply to medicine, medical equipment or supplies, food or feed, or any other form of humanitarian assistance provided to Burma.

(2) REGULATORY EXCEPTIONS.—For the following purposes, the Secretary of State may, by regulation, authorize exceptions to the prohibition and restrictions described in subsection (a), and the Secretary of the Treasury may, by regulation, authorize exceptions to the prohibitions and restrictions described in subsections (b) and (c)—

(A) to permit the United States and Burma to operate their diplomatic missions, and to permit the United States to conduct other official United States Government business in Burma;

(B) to permit United States citizens to visit Burma; and

(C) to permit the United States to comply with the United Nations Headquarters Agreement and other applicable international agreements.

(g) PENALTIES.—Any person who violates any prohibition or restriction imposed pursuant to subsection (b) or (c) shall be subject to the penalties under section 6 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as for a violation under that Act.

(h) TERMINATION OF SANCTIONS.—The sanctions imposed under subsection (a), (b), or (c) shall apply until the President determines and certifies to the appropriate congressional committees that the SPDC has—

(1) unconditionally released all political prisoners, including Aung San Suu Kyi and other members of the National League for Democracy;

(2) entered into a substantive dialogue with democratic forces led by the National League for Democracy and the ethnic minorities of Burma on transitioning to democratic government under the rule of law; and

(3) allowed humanitarian access to populations affected by armed conflict in all regions of Burma.

(i) WAIVER.—The President may waive the sanctions described in subsections (b) and (c) if the President determines and certifies to the appropriate congressional committees that such waiver is in the national interest of the United States.

SEC. 6. AMENDMENTS TO THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003.

(a) IN GENERAL.—The Burmese Freedom and Democracy Act of 2003 (Public Law 108–61; 50 U.S.C. 1701 note) is amended by inserting after section 3 the following new section:

"SEC. 3A. PROHIBITION ON IMPORTATION OF JADEITE AND RUBIES FROM BURMA AND ARTICLES OF JEWELRY CONTAINING JADEITE OR RUBIES FROM BURMA.

"(a) DEFINITIONS.—In this section:

"(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

"(A) the Committee on Ways and Means and the Committee on Foreign Affairs of the House of Representatives; and

"(B) the Committee on Finance and the Committee on Foreign Relations of the Senate.

"(2) BURMESE COVERED ARTICLE.—The term 'Burmese covered article' means—

"(A) jadeite mined or extracted from Burma;

"(B) rubies mined or extracted from Burma; or

"(C) articles of jewelry containing jadeite described in subparagraph (A) or rubies described in subparagraph (B).

"(3) NON-BURMESE COVERED ARTICLE.—The term 'non-Burmese covered article' means—

"(A) jadeite mined or extracted from a country other than Burma;

"(B) rubies mined or extracted from a country other than Burma; or

"(C) articles of jewelry containing jadeite described in subparagraph (A) or rubies described in subparagraph (B).

"(4) JADEITE; RUBIES; ARTICLES OF JEWELRY CONTAINING JADEITE OR RUBIES.—

"(A) JADEITE.—The term 'jadeite' means any jadeite classifiable under heading 7103 of the Harmonized Tariff Schedule of the United States (in this paragraph referred to as the 'HTS').

''(B) RUBIES.—The term 'rubies' means any rubies classifiable under heading 7103 of the HTS.

''(C) ARTICLES OF JEWELRY CONTAINING JADEITE OR RUBIES.—The term 'articles of jewelry containing jadeite or rubies' means—

''(i) any article of jewelry classifiable under heading 7113 of the HTS that contains jadeite or rubies; or

''(ii) any article of jadeite or rubies classifiable under heading 7116 of the HTS.

''(5) UNITED STATES.—The term 'United States', when used in the geographic sense, means the several States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

''(b) PROHIBITION ON IMPORTATION OF BURMESE COVERED ARTICLES.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, until such time as the President determines and certifies to the appropriate congressional committees that Burma has met the conditions described in section 3(a)(3), beginning 60 days after the date of the enactment of the Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008, the President shall prohibit the importation into the United States of any Burmese covered article.

''(2) REGULATORY AUTHORITY.—The President is authorized to, and shall as necessary, issue such proclamations, regulations, licenses, and orders, and conduct such investigations, as may be necessary to implement the prohibition under paragraph (1).

''(3) OTHER ACTIONS.—Beginning on the date of the enactment of this Act, the President shall take all appropriate actions to seek the following:

''(A) The issuance of a draft waiver decision by the Council for Trade in Goods of the World Trade Organization granting a waiver of the applicable obligations of the United States under the World Trade Organization with respect to the provisions of this section and any measures taken to implement this section.

''(B) The adoption of a resolution by the United Nations General Assembly expressing the need to address trade in Burmese covered articles and calling for the creation and implementation of a workable certification scheme for non-Burmese covered articles to prevent the trade in Burmese covered articles.

''(c) REQUIREMENTS FOR IMPORTATION OF NON-BURMESE COVERED ARTICLES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), until such time as the President determines and certifies to the appropriate congressional committees that Burma has met the conditions described in section 3(a)(3), beginning 60 days after the date of the enactment of the Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008, the President shall require as a condition for the importation into the United States of any non-Burmese covered article that—

''(A) the exporter of the non-Burmese covered article has implemented measures that have substantially the same effect and achieve the same goals as the measures described in clauses (i) through (iv) of paragraph (2)(B) (or their functional equivalent) to prevent the trade in Burmese covered articles; and

''(B) the importer of the non-Burmese covered article agrees—

''(i) to maintain a full record of, in the form of reports or otherwise, complete information relating to any act or transaction related to the purchase, manufacture, or shipment of the non-Burmese covered article for a period of not less than 5 years from the date of entry of the non-Burmese covered article; and

''(ii) to provide the information described in clause (i) within the custody or control of such person to the relevant United States authorities upon request.

''(2) EXCEPTION.—

''(A) IN GENERAL.—The President may waive the requirements of paragraph (1) with respect to the importation of non-Burmese covered articles from any country with respect to which the President determines and certifies to the appropriate congressional committees has implemented the measures described in subparagraph (B) (or their functional equivalent) to prevent the trade in Burmese covered articles.

''(B) MEASURES DESCRIBED.—The measures referred to in subparagraph (A) are the following:

''(i) With respect to exportation from the country of jadeite or rubies in rough form, a system of verifiable controls on the jadeite or rubies from mine to exportation demonstrating that the jadeite or rubies were not mined or extracted from Burma, and accompanied by officially-validated documentation certifying the country from which the jadeite or rubies were mined or extracted, total carat weight, and value of the jadeite or rubies.

''(ii) With respect to exportation from the country of finished jadeite or polished rubies, a system of verifiable controls on the jadeite or rubies from mine to the place of final finishing of the jadeite or rubies demonstrating that the jadeite or rubies were not mined or extracted from Burma, and accompanied by officially-validated documentation certifying the country from which the jadeite or rubies were mined or extracted.

''(iii) With respect to exportation from the country of articles of jewelry containing jadeite or rubies, a system of verifiable controls on the jadeite or rubies from mine to the place of final finishing of the article of jewelry containing jadeite or rubies demonstrating that the jadeite or rubies were not mined or extracted from Burma, and accompanied by officially-validated documentation certifying the country from which the jadeite or rubies were mined or extracted.

''(iv) Verifiable recordkeeping by all entities and individuals engaged in mining, importation, and exportation of non-Burmese covered articles in the country, and subject to inspection and verification by authorized authorities of the government of the country in accordance with applicable law.

''(v) Implementation by the government of the country of proportionate and dissuasive penalties against any persons who violate laws and regulations designed to prevent trade in Burmese covered articles.

''(vi) Full cooperation by the country with the United Nations or other official international organizations that seek to prevent trade in Burmese covered articles.

''(3) REGULATORY AUTHORITY.—The President is authorized to, and shall as necessary, issue such proclamations, regulations, licenses, and orders and conduct such investigations, as may be necessary to implement the provisions under paragraphs (1) and (2).

''(d) INAPPLICABILITY.—

''(1) IN GENERAL.—The requirements of subsection (b)(1) and subsection (c)(1) shall not apply to Burmese covered articles and non-Burmese covered articles, respectively, that were previously exported from the United States, including those that accompanied an individual outside the United States for personal use, if they are reimported into the United States by the same person, without having been advanced in value or improved in condition by any process or other means while outside the United States.

''(2) ADDITIONAL PROVISION.—The requirements of subsection (c)(1) shall not apply with respect to the importation of non-Burmese covered articles that are imported by or on behalf of an individual for personal use and accompanying an individual upon entry into the United States.

''(e) ENFORCEMENT.—Burmese covered articles or non-Burmese covered articles that are imported into the United States in violation of any prohibition of this Act or any other provision law shall be subject to all applicable seizure and forfeiture laws and criminal and civil laws of the United States to the same extent as any other violation of the customs laws of the United States.

''(f) SENSE OF CONGRESS.—

''(1) IN GENERAL.—It is the sense of Congress that the President should take the necessary steps to seek to negotiate an international arrangement—similar to the Kimberley Process Certification Scheme for conflict diamonds—to prevent the trade in Burmese covered articles. Such an international arrangement should create an effective global system of controls and should contain the measures described in subsection (c)(2)(B) (or their functional equivalent).

''(2) KIMBERLEY PROCESS CERTIFICATION SCHEME DEFINED.—In paragraph (1), the term 'Kimberley Process Certification Scheme' has the meaning given the term in section 3(6) of the Clean Diamond Trade Act (Public Law 108–19; 19 U.S.C. 3902(6)).

''(g) REPORT.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008, the President shall transmit to the appropriate congressional committees a report describing what actions the United States has taken during the 60-day period beginning on the date of the enactment of such Act to seek—

''(A) the issuance of a draft waiver decision by the Council for Trade in Goods of the World Trade Organization, as specified in subsection (b)(3)(A);

''(B) the adoption of a resolution by the United Nations General Assembly, as specified in subsection (b)(3)(B); and

''(C) the negotiation of an international arrangement, as specified in subsection (f)(1).

''(2) UPDATE.—The President shall make continued efforts to seek the items specified in subparagraphs (A), (B), and (C) of paragraph (1) and shall promptly update the appropriate congressional committees on subsequent developments with respect to these efforts.

''(h) GAO REPORT.—Not later than 14 months after the date of the enactment of the Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on the effectiveness of the implementation of this section. The Comptroller General shall include in the report any recommendations for improving the administration of this Act.''.

(b) DURATION OF SANCTIONS.—

(1) CONTINUATION OF IMPORT SANCTIONS.—Subsection (b) of section 9 of the Burmese Freedom and Democracy Act of 2003 (Public Law 108–61; 50 U.S.C. 1701 note) is amended by adding at the end the following new paragraph:

''(4) RULE OF CONSTRUCTION.—For purposes of this subsection, any reference to section 3(a)(1) shall be deemed to include a reference to section 3A (b)(1) and (c)(1).''.

(2) RENEWAL RESOLUTIONS.—Subsection (c) of such section is amended by inserting after ''section 3(a)(1)'' each place it appears the following: ''and section 3A (b)(1) and (c)(1)''.

(3) EFFECTIVE DATE.—

(A) IN GENERAL.—The amendments made by this subsection take effect on the day

after the date of the enactment of 5th renewal resolution enacted into law after the date of the enactment of the Burmese Freedom and Democracy Act of 2003, or the date of the enactment of this Act, whichever occurs later.

(B) RENEWAL RESOLUTION DEFINED.—In this paragraph, the term ''renewal resolution'' means a renewal resolution described in section 9(c) of the Burmese Freedom and Democracy Act of 2003 that is enacted into law in accordance with such section.

(c) CONFORMING AMENDMENT.—Section 3(b) of the Burmese Freedom and Democracy Act of 2003 (Public Law 108–61; 50 U.S.C. 1701 note) is amended—

(1) by inserting ''or section 3A (b)(1) or (c)(1)'' after ''this section''; and

(2) by striking ''a product of Burma'' and inserting ''subject to such prohibitions''.

SEC. 7. SPECIAL REPRESENTATIVE AND POLICY COORDINATOR FOR BURMA.

(a) UNITED STATES SPECIAL REPRESENTATIVE AND POLICY COORDINATOR FOR BURMA.—The President shall appoint a Special Representative and Policy Coordinator for Burma, by and with the advice and consent of the Senate.

(b) RANK.—The Special Representative and Policy Coordinator for Burma appointed under subsection (a) shall have the rank of ambassador and shall hold the office at the pleasure of the President. Except for the position of United States Ambassador to the Association of Southeast Asian Nations, the Special Representative and Policy Coordinator may not simultaneously hold a separate position within the executive branch, including the Assistant Secretary of State, the Deputy Assistant Secretary of State, the United States Ambassador to Burma, or the Charge d'affairs to Burma.

(c) DUTIES AND RESPONSIBILITIES.—The Special Representative and Policy Coordinator for Burma shall—

(1) promote a comprehensive international effort, including multilateral sanctions, direct dialogue with the SPDC and democracy advocates, and support for nongovernmental organizations operating in Burma and neighboring countries, designed to restore civilian democratic rule to Burma and address the urgent humanitarian needs of the Burmese people;

(2) consult broadly, including with the Governments of the People's Republic of China, India, Thailand, and Japan, and the member states of ASEAN and the European Union to coordinate policies toward Burma;

(3) assist efforts by the United Nations Special Envoy to secure the release of all political prisoners in Burma and to promote dialogue between the SPDC and leaders of Burma's democracy movement, including Aung San Suu Kyi;

(4) consult with Congress on policies relevant to Burma and the future and welfare of all the Burmese people, including refugees; and

(5) coordinate the imposition of Burma sanctions within the United States Government and with the relevant international financial institutions.

SEC. 8. SUPPORT FOR CONSTITUTIONAL DEMOCRACY IN BURMA.

(a) IN GENERAL.—The President is authorized to assist Burmese democracy activists who are dedicated to nonviolent opposition to the SPDC in their efforts to promote freedom, democracy, and human rights in Burma.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 to the Secretary of State for fiscal year 2008 to—

(1) provide aid to democracy activists in Burma;

(2) provide aid to individuals and groups conducting democracy programming outside of Burma targeted at a peaceful transition to constitutional democracy inside Burma; and

(3) expand radio and television broadcasting into Burma.

SEC. 9. SUPPORT FOR NONGOVERNMENTAL ORGANIZATIONS ADDRESSING THE HUMANITARIAN NEEDS OF THE BURMESE PEOPLE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the international community should increase support for nongovernmental organizations attempting to meet the urgent humanitarian needs of the Burmese people.

(b) LICENSES FOR HUMANITARIAN OR RELIGIOUS ACTIVITIES IN BURMA.—Section 5 of the Burmese Freedom and Democracy Act of 2003 (50 U.S.C. 1701 note) is amended—

(1) by inserting ''(a) OPPOSITION TO ASSISTANCE TO BURMA.—'' before ''The Secretary''; and

(2) by adding at the end the following new subsection:

''(b) LICENSES FOR HUMANITARIAN OR RELIGIOUS ACTIVITIES IN BURMA.—Notwithstanding any other provision of law, the Secretary of the Treasury is authorized to issue multi-year licenses for humanitarian or religious activities in Burma.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, there are authorized to be appropriated $11,000,000 to the Secretary of State for fiscal year 2008 to support operations by nongovernmental organizations, subject to paragraph (2), designed to address the humanitarian needs of the Burmese people inside Burma and in refugee camps in neighboring countries.

(2) LIMITATION.—

(A) IN GENERAL.—Except as provided under subparagraph (B), amounts appropriated pursuant to paragraph (1) may not be provided to—

(i) SPDC-controlled entities;

(ii) entities run by members of the SPDC or their families; or

(iii) entities providing cash or resources to the SPDC, including organizations affiliated with the United Nations.

(B) WAIVER.—The President may waive the funding restriction described in subparagraph (A) if—

(i) the President determines and certifies to the appropriate congressional committees that such waiver is in the national interests of the United States;

(ii) a description of the national interests need for the waiver is submitted to the appropriate congressional committees; and

(iii) the description submitted under clause (ii) is posted on a publicly accessible Internet Web site of the Department of State.

SEC. 10. REPORT ON MILITARY AND INTELLIGENCE AID TO BURMA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and annually thereafter, the Secretary of State shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report containing a list of countries, companies, and other entities that provide military or intelligence aid to the SPDC and describing such military or intelligence aid provided by each such country, company, and other entity.

(b) MILITARY OR INTELLIGENCE AID DEFINED.—For the purpose of this section, the term ''military or intelligence aid'' means, with respect to the SPDC—

(1) the provision of weapons, weapons parts, military vehicles, or military aircraft;

(2) the provision of military or intelligence training, including advice and assistance on subject matter expert exchanges;

(3) the provision of weapons of mass destruction and related materials, capabilities, and technology, including nuclear, chemical, or dual-use capabilities;

(4) conducting joint military exercises;

(5) the provision of naval support, including ship development and naval construction;

(6) the provision of technical support, including computer and software development and installations, networks, and infrastructure development and construction; or

(7) the construction or expansion of airfields, including radar and anti-aircraft systems.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form but may include a classified annex and the unclassified form shall be placed on the Department of State's website.

SEC. 11. SENSE OF CONGRESS ON INTERNATIONAL ARMS SALES TO BURMA.

It is the sense of Congress that the United States should lead efforts in the United Nations Security Council to impose a mandatory international arms embargo on Burma, curtailing all sales of weapons, ammunition, military vehicles, and military aircraft to Burma until the SPDC releases all political prisoners, restores constitutional rule, takes steps toward inclusion of ethnic minorities in political reconciliation efforts, and holds free and fair elections to establish a new government.

SEC. 12. REDUCTION OF SPDC REVENUE FROM TIMBER.

(a) REPORT.—Not later than one year after the date of the enactment of this Act and annually thereafter, the Secretary of State, in consultation with the Secretary of Commerce, and other Federal officials, as appropriate, shall submit to the appropriate congressional committees a report on Burma's timber trade containing information on the following:

(1) Products entering the United States made in whole or in part of wood grown and harvested in Burma, including measurements of annual value and volume and considering both legal and illegal timber trade.

(2) Statistics about Burma's timber trade, including raw wood and wood products, in aggregate and broken down by country and timber species, including measurements of value and volume and considering both legal and illegal timber trade.

(3) A description of the chains of custody of products described in paragraph (1), including direct trade streams from Burma to the United States and via manufacturing or transshipment in third countries.

(4) Illegalities, abuses, or corruption in the Burmese timber sector.

(5) A description of all common consumer and commercial applications unique to Burmese hardwoods, including the furniture and marine manufacturing industries.

(b) RECOMMENDATIONS.—The report required under subsection (a) shall include recommendations on the following:

(1) Alternatives to Burmese hardwoods for the commercial applications described in paragraph (5) of subsection (a), including alternative species of timber that could provide the same applications.

(2) Strategies for encouraging sustainable management of timber in locations with potential climate, soil, and other conditions to compete with Burmese hardwoods for the consumer and commercial applications described in paragraph (5) of subsection (a).

(3) The appropriate United States and international customs documents and declarations that would need to be kept and compiled in order to establish the chain of custody concerning products described in paragraphs (1) and (3) of subsection (a).

(4) Strategies for strengthening the capacity of Burmese civil society, including Burmese society in exile, to monitor and report

on the SPDC's trade in timber and other extractive industries so that Burmese natural resources can be used to benefit the majority of Burma's population.

SEC. 13. REPORT ON FINANCIAL ASSETS HELD BY MEMBERS OF THE SPDC.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and annually thereafter, the Secretary of the Treasury, in consultation with the Secretary of State, shall submit to the Committee on Foreign Affairs of the House of Representatives, the Committee on Ways and Means of the House of the Representatives, the Committee on Foreign Relations of the Senate, and the Committee on Finance of the Senate a report containing a list of all countries and foreign banking institutions that hold assets on behalf of senior Burmese officials.

(b) DEFINITIONS.—For the purpose of this section:

(1) SENIOR BURMESE OFFICIALS.—The term ''senior Burmese officials'' shall mean individuals covered under section 5(d)(1) of this Act.

(2) OTHER TERMS.—Other terms shall be defined under the authority of and consistent with section 5(c)(2) of this Act.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form but may include a classified annex. The report shall also be posted on the Department of Treasury's website not later than 30 days of the submission to Congress of the report. To the extent possible, the report shall include the names of the senior Burmese officials and the approximate value of their holdings in the respective foreign banking institutions and any other pertinent information.

SEC. 14. UNOCAL PLAINTIFFS.

(a) SENSE OF CONGRESS.—It is the Sense of Congress that the United States should work with the Royal Thai Government to ensure the safety in Thailand of the 15 plaintiffs in the Doe v. Unocal case, and should consider granting refugee status or humanitarian parole to these plaintiffs to enter the United States consistent with existing United States law.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate Congressional committees a report on the status of the Doe vs. Unocal plaintiffs and whether the plaintiffs have been granted refugee status or humanitarian parole.

SEC. 15. SENSE OF CONGRESS WITH RESPECT TO INVESTMENTS IN BURMA'S OIL AND GAS INDUSTRY.

(a) FINDINGS AND DECLARATIONS.—Congress finds the following:

(1) Currently United States, French, and Thai investors are engaged in the production and delivery of natural gas in the pipeline from the Yadana and Sein fields (Yadana pipeline) in the Andaman Sea, an enterprise which falls under the jurisdiction of the Burmese Government, and United States investment by Chevron represents approximately a 28 percent nonoperated, working interest in that pipeline.

(2) The Congressional Research Service estimates that the Yadana pipeline provides at least $500,000,000 in annual revenue for the Burmese Government.

(3) The natural gas that transits the Yadana pipeline is delivered primarily to Thailand, representing about 20 percent of Thailand's total gas supply.

(4) The executive branch has in the past exempted investment in the Yadana pipeline from the sanctions regime against the Burmese Government.

(5) Congress believes that United States companies ought to be held to a high standard of conduct overseas and should avoid as much as possible acting in a manner that supports repressive regimes such as the Burmese Government.

(6) Congress recognizes the important symbolic value that divestment of United States holdings in Burma would have on the international sanctions effort, demonstrating that the United States will continue to lead by example.

(b) STATEMENT OF POLICY.—

(1) Congress urges Yadana investors to consider voluntary divestment over time if the Burmese Government fails to take meaningful steps to release political prisoners, restore civilian constitutional rule and promote national reconciliation.

(2) Congress will remain concerned with the matter of continued investment in the Yadana pipeline in the years ahead.

(3) Congress urges the executive branch to work with all firms invested in Burma's oil and gas sector to use their influence to promote the peaceful transition to civilian democratic rule in Burma.

(c) SENSE OF CONGRESS.—It is the sense of Congress that so long as Yadana investors remain invested in Burma, such investors should—

(1) communicate to the Burmese Government, military and business officials, at the highest levels, concern about the lack of genuine consultation between the Burmese Government and its people, the failure of the Burmese Government to use its natural resources to benefit the Burmese people, and the military's use of forced labor;

(2) publicly disclose and deal with in a transparent manner, consistent with legal obligations, its role in any ongoing investment in Burma, including its financial involvement in any joint production agreement or other joint ventures and the amount of their direct or indirect support of the Burmese Government; and

(3) work with project partners to ensure that forced labor is not used to construct, maintain, support, or defend the project facilities, including pipelines, offices, or other facilities.

Amend the title so as to read: ''A bill to impose sanctions on officials of the State Peace and Development Council in Burma, to amend the Burmese Freedom and Democracy Act of 2003 to exempt humanitarian assistance from United States sanctions on Burma, to prohibit the importation of gemstones from Burma, or that originate in Burma, to promote a coordinated international effort to restore civilian democratic rule to Burma, and for other purposes.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BERMAN. Mr. Speaker, I rise in strong support of the resolution and yield myself such time as I may consume.

Mr. Speaker, 2 short months ago, tropical cyclone Nargis struck the coast of Burma, killing tens of thousands of Burmese citizens. The response of Burma's military leaders to this devastating catastrophe demonstrated their fundamental disdain for the welfare of the Burmese people.

Repeated offers from the international community to provide desperately needed assistance went unanswered. Thousands of veteran international relief workers were denied visas. Instead of dispatching Burmese groups to help the victims, the government proceeded with its referendum on a constitution drafted by an illegitimate assembly. This referendum was written without the input of Nobel Laureate and Burmese opposition leader Aung San Suu Kyi.

Even today, the restrictions placed by the government on international aid workers have severely limited their ability to help cyclone survivors. The disastrous manner in which the Burmese government handled the cyclone comes on the heels of its violent crackdown on Burma's Saffron Revolution last September. Buddhist monks, draped in saffron robes, peacefully marched through the streets of Rangoon. They were joined by tens of thousands of other Burmese citizens calling for nonviolent change, freedom and democracy.

The reaction of the ruling regime to these peaceful demonstrations was predictable. Unarmed monks were shot in the streets. Those who weren't killed were hauled off to detention centers. Political dissidents were tossed in jail.

In short, the Saffron Revolution was crushed, along with the aspirations of the Burmese people for democracy and a better life. These brutal actions demonstrate the moral bankruptcy of the regime.

Unfortunately, the regime is not financially bankrupt. While the Burmese people live in great poverty, Burma's military leaders continue to take Burma's vast natural resources as their own. The legislation before the House today hits the regime where it hurts, in the wallet. By blocking the import of Burmese gems into the United States and expanding financial sanctions, the legislation will take hundreds of millions of dollars out of the pockets of the regime each year.

The legislation is supported by U.S. industry. The 11,000-store Jewelers of America supports a ban on Burmese gem imports to the United States. Major retailers like Tiffany's and Bulgari have also voluntarily implemented such a ban.

The amendments to this bipartisan bill provided for in this resolution, which have been carefully negotiated with the Senate, promote a coordinated multilateral approach to sanctions against Burma.

The European Union has similarly banned the import of Burmese gems, as have the Canadians. It's our hope that the financial sanctions contained in this bipartisan bill will push other countries to examine their own financial dealings with Burma.

As we move forward with H.R. 3890 today, I do want to thank the ranking Republican member of the committee, ILEANA ROS-LEHTINEN, as well as PETER KING of the Homeland Security Committee, for their strong support for this legislation and for democracy in Burma.

Thanks also must be given to the chairman of the Ways and Means Committee, CHARLIE RANGEL; the chairman of the Trade Subcommittee, SANDER LEVIN; as well as their Republican counterparts, JIM MCCRERY and WALLY HERGER, for their enormous help in moving forward with this bill.

Finally, let me thank Speaker NANCY PELOSI for her continued leadership on this legislation.

Since the first shots were fired in Rangoon, the Speaker has firmly indicated our intention to significantly tighten sanctions on the ruling Burmese regime. Today, we fulfill that promise.

Burmese freedom fighter and Nobel Laureate Aung San Suu Kyi memorably asked of the world community, ''Use your liberty to promote ours.'' So today we use our liberty in the United States Congress to ratchet up the economic pressure on the Burmese regime to move towards freedom, democracy and respect for human rights.

I urge all Members to support the resolution.

Mr. Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield myself such time as I may consume.

This past year has been an extremely tragic one for the nation of Burma and its long suffering people. Last fall, the world watched in horror as a corrupt and cruel military junta moved with barbaric vengeance against its own people. Even the monkhood, who led the people in the Saffron Revolution in this devoutly Buddhist nation, was not spared from the bayonets and the bullets of this blood-thirsty regime.

Television sets around the world were filled with images of midnight raids on temples and of monks and other peaceful demonstrators being shot at and arrested.

Many have simply disappeared into the Burmese gulag and have not been heard from again. International appeals for human decency and restraint have consistently fallen on deaf ears. This is a regime, after all, whose head general reportedly spent three times the national health budget on his daughter's wedding 2 years ago. A videotape smuggled out of Burma shows film clips of the bride dripping with diamonds.

The pictures are particularly disturbing when one reflects on the fact that Burma is one of the world's poorest countries. This is also the same regime who, following the devastation brought on by Cyclone Nargis, compounded its inept and inhumane response by actively blocking international relief efforts.

A flotilla of U.S. Navy ships, loaded with relief supplies, was forced to turn back after being rejected by junta leaders. This stonewalling took place as tens of thousands died and hundreds of thousands were left without food, without water, without shelter.

The U.S. humanitarian mission, as spelled out by the senior U.S. military commander in the Pacific, Admiral Timothy Keating, was to ease the suffering of hundreds of thousands. The international community must no longer subsidize the leaders of this immoral regime by trading in the commodities that they peddle in international markets, while their own people are left to starve and, indeed, to die.

The rainbow coalition of contraband products for sale by the military junta has included red rubies, white opium, green jade and brown timber.

The legislation we put forth today sends a clear message. It will not be business as usual for the repressors in Rangoon. They must stop their suppression of the people of Burma.

The automatic renewal of sanctions imposed by the Burmese Freedom and Democracy Act of 2003 will eliminate the annual requirement for congressional action. Is there any Member here today who has any doubts about making economic sanctions against the current Rangoon regime both permanent and hard hitting?

□ 1400

This legislation has the full support of leaders of the American gem industry. They have seen the necessity of putting principle ahead of profit when it comes to the reprehensible actions of the Burmese regime.

This bill also seeks to put the pain squarely on the backs of those who have earned it, the ruling generals and their families, and not on the backs of the Burmese people who have already suffered so much. It calls for frozen bank accounts for the generals, for an end to money laundering by the ruling junta, and a ban on visas to the United States for those involved in the continuing acts of repression and their immediate families.

This legislation, Mr. Speaker, is dedicated to the memory of our former colleague and chairman, Tom Lantos, a champion of human rights. It provides an opportunity to send a strong bipartisan message that where human freedom is concerned, politics does, indeed, stop at the water's edge.

I therefore rise today to urge my colleagues to join us in voicing their enthusiastic support for a free Burma by supporting the Block Burmese JADE Act. So I call on my colleagues to join me in taking a firm stand in favor and in support of the people of Burma.

Let us pass this legislation in honor of Tom Lantos, and the August 8, 20th anniversary of the Burmese democracy movement. That movement represents a far more important milestone than the scheduled opening on August 8 of the Olympics in Beijing.

Now is the time for our voices to be heard. People of Burma, we stand with you.

Mr. Speaker, I reserve the balance of our time.

Mr. BERMAN. Mr. Speaker, I reserve my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield such time as he may consume to the gentleman from Louisiana (Mr. MCCRERY), the ranking member on the Committee on Ways and Means.

Mr. MCCRERY. I thank the gentlelady for yielding.

It is a privilege today to rise in strong support of the Tom Lantos Block Burmese JADE Act of 2008. I must say at the outset, however, that the real privilege was to have had the opportunity to serve in this House for almost 21 years with Tom Lantos. His passing is an immeasurable loss for his family, for this Chamber, and for the people across the world for whom he tirelessly fought.

Since December, when the House and Senate passed different bills to strengthen and broaden sanctions against the repressive Burmese regime, we have worked across the aisle, across jurisdictional lines and across the Capitol to finalize a bill to pass into law. This bill has benefited enormously from the collaborative and bipartisan efforts of the House Foreign Affairs, Senate Foreign Relations, Ways and Means and Senate Finance committees. Our collective efforts have produced a sanctions bill that takes a tough position against the Burmese regime, while maximizing compliance with United States international obligations.

Among other things, the Tom Lantos Block Burmese JADE Act promises to eliminate trade in jewelry containing Burmese rubies and jadeite, even if the jewelry was made in and exported from a third country. These sales finance the Burmese regime, and if we want to pressure them to provide for their impoverished people, we must eliminate trade in all Burmese rubies and jadeite, not just if those products are exported directly from Burma itself.

We must also structure our import sanctions in a way that encourages and facilitates multilateral pressure. We believe the Ways and Means Committee contributions to this legislation do just that, as well as pave the way toward building a multilateral consensus at the United Nations and World Trade Organization to prevent trade in Burmese rubies and jadeite. Modeled after the successful conflict diamonds legislation, the provisions our committee added are proven and administrable.

I would also note that this bill is an improvement over the original House-passed bill because it no longer targets a single United States company for unfavorable tax treatment.

Lastly, I would like to thank Chairman RANGEL for the improvements he is responsible for in this bill, particularly his agreement to eliminate the

problematic provisions relating to the generalized system of preferences that were in the original House-passed bill.

For all these reasons, Mr. Speaker, I urge support of H. Res. 1341.

Ms. ROS-LEHTINEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BERMAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 1341.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

RESIGNATION AS MEMBER OF COMMITTEE ON SCIENCE AND TECHNOLOGY

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Science and Technology:

JULY 14, 2008.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER PELOSI: I hereby resign my seat on the Committee on Science and Technology, effective July 14, 2008. It has been a pleasure to serve on this committee.

Sincerely,

PAUL E. KANJORSKI,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 6 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1434

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. ROYBAL-ALLARD) at 2 o'clock and 34 minutes p.m.

MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT OF 2008—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–131)

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am returning herewith without my approval H.R. 6331, the ''Medicare Improvements for Patients and Providers Act of 2008.'' I support the primary objective of this legislation, to forestall reductions in physician payments. Yet taking choices away from seniors to pay physicians is wrong. This bill is objectionable, and I am vetoing it because:

It would harm beneficiaries by taking private health plan options away from them; already more than 9.6 million beneficiaries, many of whom are considered lower-income, have chosen to join a Medicare Advantage (MA) plan, and it is estimated that this bill would decrease MA enrollment by about 2.3 million individuals in 2013 relative to the program's current baseline;

It would undermine the Medicare prescription drug program, which today is effectively providing coverage to 32 million beneficiaries directly through competitive private plans or through Medicare-subsidized retirement plans; and

It is fiscally irresponsible, and it would imperil the long-term fiscal soundness of Medicare by using short-term budget gimmicks that do not solve the problem; the result would be a steep and unrealistic payment cut for physicians—roughly 20 percent in 2010—likely leading to yet another expensive temporary fix; and the bill would also perpetuate wasteful overpayments to medical equipment suppliers.

In December 2003, when I signed the Medicare Prescription Drug, Improvement, and Modernization Act (MMA) into law, I said that ''when seniors have the ability to make choices, health care plans within Medicare will have to compete for their business by offering higher quality service. For the seniors of America, more choices and more control will mean better health care.'' this is exactly what has happened—with drug coverage and with Medicare Advantage.

Today, as a result of the changes in the MMA, 32 million seniors and Americans with disabilities have drug coverage through Medicare prescription drug plans or a Medicare-subsidized retirement plan, while some 9.6 million Medicare beneficiaries—more than 20 percent of all beneficiaries—have chosen to join a private MA plan. To protect the interests of these beneficiaries, I cannot accept the provisions of this legislation that would undermine Medicare Part D, reduce payments for MA plans, and restructure the MA program in a way that would lead to limited beneficiary access, benefits, and choices and lower-than-expected enrollment in Medicare Advantage.

Medicare beneficiaries need and benefit from having more options than just the one-size-fits-all approach of traditional Medicare fee-for-service. Medicare Advantage plan options include health maintenance organizations, preferred provider organizations, and private fee-for-service (PFFS) plans. Medicare Advantage plans are paid according to a formula established by the Congress in 2003 to ensure that seniors in all parts of the country—including rural areas—have access to private plan options.

This bill would reduce these options for beneficiaries, particularly those in hard-to-serve rural areas. In particular, H.R. 6331 would make fundamental changes to the MA PFFS program. The Congressional Budget Office has estimated that H.R. 6331 would decrease MA enrollment by about 2.3 million individuals in 2013 relative to its current baseline, with the largest effects resulting from these PFFS restrictions.

While the MMA increased the availability of private plan options across the country, it is important to remember that a significant number of beneficiaries who have chosen these options earn lower incomes. The latest data show that 49 percent of beneficiaries enrolled in MA plans report income of $20,000 or less. These beneficiaries have made a decision to maximize their Medicare and supplemental benefits through the MA program, in part because of their economic situation. Cuts to MA plan payments required by this legislation would reduce benefits to millions of seniors, including lower-income seniors, who have chosen to join these plans.

The bill would constrain market forces and undermine the success that the Medicare Prescription Drug program has achieved in providing beneficiaries with robust, high-value coverage—including comprehensive formularies and access to network pharmacies—at lower-than-expected costs. In particular, the provisions that would enable the expansion of ''protected classes'' of drugs would effectively end meaningful price negotiations between Medicare prescription drug plans and pharmaceutical manufacturers for drugs in those classes. If, as is likely, implementation of this provision results in an increase in the number of protected drug classes, it will lead to increased beneficiary premiums and copayments, higher drug prices, and lower drug rebates. These new requirements, together with provisions that interfere with the contractual relationships between Part D plans and pharmacies, are expected to increase Medicare spending and have a negative impact on the value and choices that beneficiaries have come to enjoy in the program.

The bill includes budget gimmicks that do not solve the payment problem for physicians, make the problem worse with an abrupt payment cut for physicians of roughly 20 percent in 2010, and add nearly $20 billion to the Medicare Improvement Fund, which would unnecessarily increase Medicare spending and contribute to the unsustainable growth in Medicare.

In addition, H.R. 6331 would delay important reforms like the Durable Medical Equipment, Prosthetics, Orthotics, and Supplies competitive bidding program, under which lower payment

rates went into effect on July 1, 2008. This program will produce significant savings for Medicare and beneficiaries by obtaining lower prices through competitive bidding. The legislation would leave the Federal Supplementary Medical Insurance Trust Fund vulnerable to litigation because of the revocation of the awarded contracts. Changing policy in mid-stream is also confusing to beneficiaries who are receiving services from quality suppliers at lower prices. In order to slow the growth in Medicare spending, competition within the program should be expanded, not diminished.

For decades, we promised America's seniors we could do better, and we finally did. We should not turn the clock back to the days when our Medicare system offered outdated and inefficient benefits and imposed needless costs on its beneficiaries.

Because this bill would severely damage the Medicare program by undermining the Medicare Part D program and by reducing access, benefits, and choices for all beneficiaries, particularly the approximately 9.6 million beneficiaries in MA, I must veto this bill.

I urge the Congress to send me a bill that reduces the growth in Medicare spending, increases competition and efficiency, implements principles of value-driven health care, and appropriately offsets in physician spending.

GEORGE W. BUSH.

THE WHITE HOUSE, *July 15, 2008*.

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal, and the veto message and the bill will be printed as a House document.

The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

The gentleman from Michigan (Mr. DINGELL) is recognized for 1 hour.

Mr. DINGELL. Madam Speaker, for purposes of debate only, I yield 30 minutes to my dear friend, the gentleman from Texas (Mr. BARTON).

Madam Speaker, I also yield 15 minutes of my time to my dear friend, the gentleman from New York (Mr. RANGEL), and I ask unanimous consent that he be allowed to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Madam Speaker, once again, the House has before it an irresponsible, flint-hearted veto sent by the White House, which has participated in no way in bringing us to the point where we are today.

The legislation before us is critical to ensuring access to high-quality physician services for Medicare beneficiaries. If we fail to override this veto, physicians will face a 10 percent pay cut, which will jeopardize access to care for seniors and for the disabled. If we fail to override this veto, low-income beneficiaries will lose out on additional protections and benefits in the traditional Medicare programs, such as coverage for more preventive benefits.

□ 1445

Finally, if we fail to override this veto, we will miss out on an opportunity to begin addressing the most egregious abuses made by the private health plans operating under Medicare. Private Fee-for-Service (PFFS) plans, one type of Medicare Advantage plan, do not have to sign providers to be a part of their networks. The result of this is that beneficiaries have no idea which physicians accept payments for their plans. And if the physician does not accept payment, the physician and the beneficiary are left holding the bag. These plans create tremendous uncertainty, confusion and hardships for all concerned, beneficiaries and providers.

I urge Members to vote to override the President's veto.

Madam Speaker, I reserve the balance of my time.

Mr. BARTON of Texas. Madam Speaker, I ask unanimous consent to yield 15 minutes of the 30 minutes that I control to the ranking member of the Ways and Means Committee, Mr. MCCRERY of Louisiana.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BARTON of Texas. Madam Speaker, I rise in support of the President's veto. I know that's not a popular position to take on this floor since only 59 Members of this body supported the President when the vote was to pass the bill a month or so ago, but I think the position that I take is the right position on policy.

The bill before us, if the veto is not sustained, would delay—and I'm being charitable to use that verb—the reform of competitive bidding for durable medical equipment. It would delay that for 18 months, which in all probability would kill a program that would save billions and billions of dollars if implemented.

We have over 300 successful bidders for durable medical equipment that are not now going to be able to provide that. We have a program that, according to the Government Accountability Office, 10 percent of all the expenditures are for fraud, and we're going to perpetuate that program. The bill before us delays the reform of competitive bidding. I think that's a mistake.

The bill before us does prevent a, I believe, 10 percent cut going into effect for our physicians, and that's a good thing. I don't think any Member of this body wants our physicians that provide services for our Medicare and Medicaid beneficiaries to have to take a payment cut. So that is the one socially redeeming value of this bill. But it doesn't permanently fix the system, it simply delays the cut for another year. And next year it will be 20 percent, I think 20.7 percent. So there is no long-term fix for that, it's another kick-the-can-down-the-road for one more year.

There are some changes in the way pharmacies are reimbursed or are paid for or priced for their prescription drugs, a reform called Average Manufacturing Price, which I think is a good reform. We have had some consultations with the pharmaceutical community and the pharmaceutical manufacturers about how to actually calculate that price, but that reform replaced the system that was ridden with inequity and subject to quite a bit of gamesmanship. The bill before us would revert, as I understand it, back to the old system, which I think is a mistake.

So I know it's not politically popular to say we ought to stand on principle and do the right thing, but that's the position that I'm taking. I think that's the position the President is taking. So when the vote comes, I would hope that people would look at the underlying issues and vote to sustain the President's position on this, which is the position that's the best public policy for all Americans.

I haven't talked about Medicare Advantage. My good friend from Louisiana I think will make those points, but it's obvious that this bill significantly impacts, in a negative way, Medicare Advantage, which is a program that 10 million of our senior citizens have chosen to participate in to receive their Medicare benefits.

With that, Madam Speaker, I reserve the balance of my time.

Mr. RANGEL. Madam Speaker, I ask unanimous consent that the remainder of the time that I use be yielded to Mr. STARK, the chairman of the Subcommittee on Health, and he would have the right to distribute it to Members that he recognizes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RANGEL. Madam Speaker, I rise in support of the veto, of the President demonstrating once again a reckless, mean-spirited disregard of the health of our children, our poor folks, and now the aging. And yet I stand on the floor proud of the fact that we're on the brink of a new day, where people like Chairman STARK, working with Chairman DINGELL and Chairman PALLONE, will be able to create a system where, whether you're old or young or live in rural or urban areas, that health care is going to be a priority, and we don't have to come to this floor and fight each other as to who can be the meanest in denying people health care.

And so I just want the people to know that this really isn't a question of Republican and Democrats because, to some extent, we're united in sending a message to the President: Think about what you're doing to the American people and try to help us to move forward. I hope I'm not violating the rules by saying that.

When TED KENNEDY got out of his sick bed and walked over to the Senate

floor, it wasn't a Democratic Senator speaking to a bipartisan Senate. It was the voice of someone who has demonstrated compassion for all of the things that all of us believe in. As a result of that, he has brought us together. Let us stay together; and let's send a message to the President, his days of doing us harm are very, very limited.

I yield the balance of my time to Chairman STARK.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members to avoid making improper references to the President.

Mr. MCCRERY. Madam Speaker, I yield myself so much time as I may consume.

Madam Speaker, I'm glad that you admonished Members to not improperly invoke the President's name. I don't think Chairman RANGEL really thought through what he said there at first about the President being mean-spirited with this veto. I disagree with the policy in this bill, but I don't think Mr. STARK or Mr. DINGELL or any of my colleagues were mean-spirited in putting together flawed policy. And I think the more that we recognize that we're all here, including the President, for the same reason, and that's to make this country a better place, the quicker we will get on to solving the bigger problems of the country on a bipartisan basis. So I appreciate the Speaker's admonition.

As I say, I don't agree with the policy that's in the bill, but I do commend those who worked on solving at least the immediate problem of the pending cut to physicians. It is an intractable problem, very, very difficult for us to deal with, both substantively and politically. So I recognize that this was a tough process, a very difficult process to bring legislation to the floor that at least solved the immediate problem. But I think this bill represents missed opportunities. I think it is premised on false choices, and surely does nothing to protect the long-term solvency of the Medicare program, which we are going to have to tackle eventually in the Congress.

I support reversing the physician pay cuts that are scheduled under current law, but there is a right way to do it and a wrong way. I think this bill represents the wrong way. According to CBO, more than 2 million seniors will lose the Medicare health plan that they have today if this bill becomes law.

Now, as these provisions are fully implemented, I believe Members of Congress will begin hearing from seniors around the country, angry, confused, wanting to know why we passed a bill that has taken away their health care plan. The last time we made changes that negatively impacted these kinds of plans, we certainly heard from seniors in our offices, and they were not happy.

Now, maybe if in this bill we permanently fix the problems of the flawed Sustainable Growth Formula, then we might be willing to make that trade to put up with a few angry seniors because we really did something the right way, we permanently fixed the problem. But this bill doesn't do that; it is another just-kick-the-can-down-the-road. And, in effect, we make the problem worse because, as my colleague from Texas said earlier, the next time Congress has to address this in just a year from now, the physicians will be facing a 20 percent cut in reimbursement. That's what this bill puts in place. That's what this bill sets up the Congress for in about a year.

So I don't believe that the policy that is used in this bill to pay for this temporary fix is the appropriate policy. And I believe seniors will not be happy with us for having just used their health care plans to kick this can down the road.

Now, I'm retiring, Madam Speaker, at the end of this Congress; I won't be here next year. But I am hopeful that sooner, and not later, Members of the House and Senate, on a bipartisan basis, will decide that year-to-year rentals of this patch no longer make sense and roll up their sleeves in a concerted effort to develop a long-term solution to ensure that the Medicare program will be able to serve seniors for generations to come. I don't hold any hope that we're going to do that this year, but I do believe that this legislation, if there is a silver lining, by creating this even higher cliff for physicians, will probably get Congress closer to that bipartisan cooperation to solve the problem.

With that, Madam Speaker, I reserve the balance of my time.

GENERAL LEAVE

Mr. DINGELL. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the legislation before us.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Madam Speaker, I yield 2 minutes to my distinguished colleague and friend, Mr. PALLONE, chairman of the Health Subcommittee of the Commerce Committee.

Mr. PALLONE. Madam Speaker, last week, Congress sent to the President a commonsense proposal that passed both Chambers with strong bipartisan support. The bill that we sent to President Bush was a balanced approach that would keep Medicare working for America's seniors, doctors and taxpayers.

This bill makes a number of improvements to Medicare that have been long overdue. The bill expands access to services for beneficiaries and provides additional financial assistance for low-income seniors. This bill also staves off the 10.6 percent cut to physicians' payments that are being implemented right now by CMS.

What this bill does not do is make drastic cuts to Medicare Advantage; it makes very modest and sensible reforms to the program. Now, do I think that we should do more to reform Medicare Advantage? The answer is yes. Because the Bush administration has created a bias in favor of Medicare Advantage.

I would like to make reference to yesterday's New York Times editorial called Medicare's Bias. It says, ''Many of the private plans that participate in the huge government-sponsored health insurance program for older Americans have become a far too costly drain on Medicare's overstretched budget.''

''These private plans—that now cover a fifth of the total Medicare population—receive large subsidies to deliver services that traditional Medicare provides more cheaply and more efficiently by paying hospitals and doctors directly. Congress was right—for reasons of equity and of fiscal sanity—to pass a bill that would at least begin to remove some of these subsidies.''

Madam Speaker, now is the time to vote to protect health care for the elderly and disabled. Now is the time to vote to protect fair reimbursements for our Nation's doctors and pharmacists. And now is the time to vote to protect Medicare. Now is the time to vote to override the President's misguided veto.

Mr. BARTON of Texas. Madam Speaker, I yield 1 minute to the distinguished minority whip, Mr. BLUNT of Missouri.

Mr. BLUNT. Madam Speaker, I thank the gentleman for yielding and for his leading this debate today.

I think we all know what's going to happen today, but we don't know what this debate is all about. The gentleman just mentioned that one out of five people on Medicare now take advantage of Medicare Advantage. This is not a debate about the insurance companies and the doctors, this is a debate about competition.

Now, there is a legitimate division on the floor of this House about whether competition and patient choice is part of the key to the future of Medicare.

□ 1500

I believe it is, and I think we could have taken care of the providers in a way that didn't step in and impact competition. In my district alone—and, in fact, in rural districts and minority districts, that's where that one out of five Americans live. In my district alone 28,000 people take advantage of the opportunity to be part of Medicare Advantage. Half of them take advantage of the opportunity to select their own doctor. That opportunity goes away if this bill becomes law.

I intend to vote ''no'' today not because I don't respect the providers but because I think this is a terrible way to solve this problem that could be solved otherwise.

Mr. STARK. Madam Speaker, I yield myself 2 minutes.

I would like to concur and respond to my friend from Louisiana, we are just

kicking the can down the road, but we have been doing that under his party's leadership for the past 8 years or so. And the truth is that none of us, the distinguished ranking member, the distinguished ranking member of the Health Subcommittee, the distinguished Chair of the Health Subcommittee, have any idea how we're going to solve this physician reimbursement for the long run, and we don't have time. But I think we have all agreed on a bipartisan basis that it is an issue that we have to address as quickly as possible. So we do recognize that this is a temporary fix, and we do recognize the serious problem of reimbursing physicians, but I don't think there's any chance that we could get that done in the time left to us in this session.

And some of the things that we have added, not all of the things we have passed in the CHAMP Act, but there is mental health parity for seniors, which means that they no longer have to pay a 50 percent co-pay for mental health but a 20 percent co-pay, as they would for other services. There are preventative care opportunities for Medicare beneficiaries. There is support for low-income beneficiaries. There is work toward resolving medical disparities, an issue which is of concern to many people in this country. There is electronic prescribing, e-prescribing, as it's called, which we think will be safer and more cost effective in the distribution for pharmaceuticals.

As to the durable medical equipment bidding, I want to correct a statement made earlier. It isn't going to cost the taxpayers anything. The CBO has told us that the way this bill is designed, the durable medical equipment providers will pay for this at their option to take an across-the-board cut in their reimbursement rather than have a bidding system which they felt was unworkable and not realistic.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. STARK. I yield myself an additional 30 seconds, Madam Speaker.

So while I think that it's not everything that we wanted and that we voted for in this House on a somewhat less strong bipartisan basis a year ago, we have made some bipartisan steps down the road. We got bipartisan support in the Senate. And what I hope, recognizing that many of us would do each of these things somewhat differently, a vast majority of us here and in the other body have come together as I have not seen in the past 10 or 12 years to work out a bipartisan agreement to proceed, and I hope that is a harbinger of the future.

Madam Speaker, I reserve the balance of my time.

Mr. MCCRERY. Madam Speaker, I yield 2 minutes to the distinguished ranking member of the Health Subcommittee of the Ways and Means Committee, the gentleman from Michigan (Mr. CAMP).

Mr. CAMP of Michigan. I thank the gentleman for yielding.

Madam Speaker, this is not some huge legislative victory, as some would suggest. Instead, it's about maintaining the status quo.

I am committed to finding a way around this unworkable physician payment system that we have now, which rewards volume over quality. Every 15 minutes doctors have to see somebody else. That system's just plain wrong. But let's be honest. This bill only buys us about 18 months, and where has that gotten us before, as the gentleman points out?

I would like to quote the distinguished chairman of the Ways and Means Health Subcommittee, who said back in 2006: ''I am glad that this bill includes a temporary update for physicians, giving us a little breathing room heading into next year. But we're still going to have to do some very heavy lifting in order to dig ourselves out of the $250 billion hole Republicans created by kicking the can down the road the last few years. In the next Congress, I hope my colleagues on the other side of the aisle work with me to address this problem once and for all.''

Well, now we can add Democrats to the list of those digging the hole and kicking the can down the road. And at what cost? CBO estimates that up to 2 million seniors, mostly low income, will permanently, permanently, lose their current health coverage under this bill for a temporary 18-month increase in pay for physicians. Not addressing any of the longstanding problems in terms of rewarding value and not volume.

I can't in good conscience support this bill that pits seniors against physicians. It's a lose-lose proposition and I will vote to sustain the President's veto.

Mr. DINGELL. Madam Speaker, I yield myself 15 seconds.

My colleagues on the other side talk about Medicare Advantage. Medicare Advantage gets somewhere between 11 and 30 percent more than they are supposed to get and more than regular Medicare gets. That's absolutely wrong. If we support this veto, we would continue that outrage. This is something that needs to be corrected.

Madam Speaker, I am now happy to yield to my dear friend, the distinguished majority leader, Mr. HOYER, for 1 minute.

Mr. HOYER. I thank the chairman for yielding and would observe, as I have before on this floor, that there is no Member of this House who has been involved any more deeply, any more passionately, any more effectively to protect, preserve, and expand the availability of health care to the American people more than my friend JOHN DINGELL, the chairman of the committee. I want to congratulate him. Not only has he done that, but his father before him did that as well.

Madam Speaker, last week we watched as Senator TED KENNEDY returned from the treatment of his brain cancer to cast his vote in favor of this vital Medicare bill. I don't have to tell you how many of us in both Chambers were moved to see that lifelong crusader for health care come back to cast one more vote for America's seniors.

With that as inspiration, the Senate joined the House in voting by overwhelming margins for legislation that would and does replace a 10.6 percent payment cut for thousands of doctors in Medicare with a 1.1 percent increase, a cut that would put at risk coverage and availability of doctors for our seniors. The bill extends expiring provisions and bonus payments critical to rural communities and providers. The bill expands the preventive services that are available to our seniors. The bill phases mental health parity into the Medicare program. And it improves protections and assistance programs for our low-income seniors, about whom all of us are concerned.

Three hundred and fifty-five of us in this House voted to pass this legislation. Three hundred and fifty-five in an overwhelming bipartisan vote which said this is good legislation, our people need it, and we're going to pass it. Sixty-nine Members of the United States Senate stood up and supported this piece of legislation. And I was pleased to see so many Republicans lining up with us. This is an overwhelmingly bipartisan bill as it was sent to the President of the United States.

Preventing these Medicare cuts isn't a Republican issue or a Democratic issue. It's an issue of protecting and preserving the health care that over 44 million seniors count on, depend on, and, yes, deserve. And our message to the President was unambiguous: We will stand with our seniors and our health care providers, our military families and our disabled. And when it comes to protecting and preserving the health care they depend on, we will put aside party politics and we will stand together. Three hundred and fifty-five of us, sixty-nine in the Senate.

Today President Bush decided that the overwhelming majority of the Congress was wrong. He will have to explain, however, to America's seniors why he was so willing to stand between them and their health care.

But, thankfully, we don't have to take ''no'' for an answer. Thankfully, the Constitution provides us with the ultimate policy-making authority. And I expect, hope, and urge that the 355 of us that stood for this legislation just a short time ago will do so again today, not in opposition to the President but as a proponent of legislation which seeks to solve a problem and to provide health care for our seniors.

I urge my colleagues on both sides of the aisle to override this misguided veto. And with their support, this bill for our seniors will become law and they will be better for it.

Mr. BARTON of Texas. Madam Speaker, I want to yield 3 minutes to a member of the Energy and Commerce Committee, the gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Madam Speaker, I rise with a little bit of apprehension today, but this is really a horrible way to do what we're trying to do today, and we've known that every year certainly since I have been a Member of Congress. I think this is my eighth time trying to fix what is really a bad system of telling doctors every year you're going to be cut unless we do something. A horrible system. I think we all agree we have to do something.

But something really spectacular happened today and I don't think in a good way. For the first time since I've been in Congress, we've decided that we're going to fix it as we have every single year since I have been here except we are going to cut senior citizens off from their programs in Medicare, for the first time since I have been here, and that we're going to do that today. And I scratch my head a little bit. We have always been able to come together in a bipartisan way and say we can fix it for the doctors without taking it out of the seniors. We don't have to punish the patients to help the doctors. And I know they can get on planes and they are doing okay financially and they can fly here and lobby us and talk to us and get in our ears, and that's important. And you know what? They should. Because every single year we tell them don't invest in your company because we are not going to tell you their business, their business of providing medical services. Don't invest in that because we're not sure if we are going to cut you 10 percent or give you 2 percent. Pretty hard to make that investment decision to go to health information technology that we know will save lives or add a new staff member that they know they might be not able to pay for if we don't get our act together, which tells us why this system is so horrible. But because we failed to act, this Congress failed to act, I think the provision starts tomorrow with a 10 percent cut. We said 2 million poor seniors in this country, you're going to get a letter in the mail that says you no longer have service under Medicare Advantage. Think about the fear and the confusion. Do we have to do that? Is that the best that we can do here in this Chamber and call it a bipartisan effort?

Ten million seniors depend on Medicare Advantage. They voluntarily signed up. And after this bill, 200,000 of them that live in Michigan will have fewer choices, reduced benefits, higher out-of-pocket costs.

Half of the Medicare Advantage enrollees have incomes below $20,000 a year. Imagine the fear when your electric bills are going up because we haven't done anything here in this Congress, when your gasoline prices are over $4 and maybe your kids don't even come to see you anymore. But, oh, by the way, we are going to give you this letter and we are going to celebrate that in a bipartisan way we have stood up and said the heck with you, you're going to have to deal with it on your own, you 10 million seniors. Can't we do better? I think we can.

So when the President vetoed this, it wasn't about mean spiritedness and taking things away and we're not going to help those seniors. It was about please renegotiate. If for the last 7 years we could come together and say we can help you doctors without punishing you senior citizen patients, why can't we do that today? It's the first time that we have had to do that since I have been in Congress. I know we can do better. And when you're done, think of this: Fully 70 percent are minorities making under $20,000 on Medicare Advantage.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. BARTON of Texas. Madam Speaker, I yield the gentleman an additional 30 seconds.

Mr. ROGERS of Michigan. I thank the chairman.

Madam Speaker, 70 percent are minorities making under $20,000. They'll get that letter in the mail. I doubt that they'll be celebrating the warmth and the fuzzy feeling that we are all feeling today because 355 people tried to read a bill that we only had 24 hours to read.

Please, sustain the President's veto. It doesn't mean it's over. It means we get to negotiate a bill that protect doctors, as they should, allows them to make investments in the future of health information technology and other things without facing a 20 percent cut. By the way, if we did nothing, it would be a 15 percent cut by the end of next year. Because of this bill, it's a 20 percent cut.

We have to do better. I will vote to sustain. I would urge you to sustain the President's veto.

□ 1515

Mr. STARK. Madam Speaker, I would like to yield 1 minute to the distinguished gentleman from California (Mr. BECERRA).

Mr. BECERRA. I thank the gentleman for yielding.

Madam Speaker, over 1 year ago, we were trying to figure out how we would resolve this situation where seniors were on the verge of losing access to their doctor and where doctors were fretting whether they would be able to get enough reimbursement to be able to continue to offer services to these seniors. And it's very difficult to come to consensus.

We almost went over the cliff. That 10 percent cut to doctors almost came to be. But today we have a chance after the President's veto to make sure that doctors will get their payment, seniors will get their services and then we can all move forward to try to deal with the major reforms to Medicare that we must make. Three hundred fifty-five to fifty-nine. That was the vote in the House some 3 weeks ago to pass this legislation. Sixty-nine to thirty in the Senate.

It's not often that you get a strong vote in the House. It's not often that you get a strong vote in the House and the Senate. This is bipartisan. This is bicameral. It is the type of consensus we need. We did something for our seniors who are modest income. We did something to make sure that we have better oversight over those doctors that are unscrupulous. And at the same time, we did this without adding a single cent to the deficit for a Federal budget which right now is in the hock for $400 billion. This is the right way to go. We will overturn the President's veto on a bipartisan basis.

Mr. MCCRERY. I yield 3 minutes to the gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. I thank the gentleman from Louisiana.

Madam Speaker, I voted in favor of H.R. 6331 and will vote to override the President's veto today. This is a very important piece of legislation for those of us who care strongly about our communities and their survival. And in rural America the delivery of health care is in jeopardy. The pharmaceutical aspect of this bill is one that perhaps has been understated. But those of us who care about the community pharmacists believe that the direction that this bill provides in requiring a timely payment through prompt payments under part D and the elimination for 1 year of the average manufacturers' price, which will undercut the ability of pharmacists to deliver prescription drugs under Medicaid, and the elimination of bidding for durable medical equipment is awfully important.

Much of the focus is upon the elimination of the 10 percent reduction in reimbursement to our physicians for Medicare. And I want to quote from one of my physicians back home in Kansas in a letter to me dated July 7. ''It is with mixed emotions that I am writing to inform you of my intent to leave my Family Medicine practice in Kansas. I have reached the point where I am no longer willing to expose myself or my family to the risk of having to rely upon an increasingly unreliable (and poor) source of income; specifically Medicare. I do not have the margin to absorb others' incompetence or our government's capricious reimbursement. I am no longer willing to be a pawn in the ideological chess match in Washington and therefore as of today I will no longer accept Medicare patients.

''I am at a point in my career where I must consider my family as well as my retirement. We once again have been threatened with an across-the-board 10 percent cut. Congress and the Medicare system are taking advantage of good-intentioned physicians who are more interested in caring for patients and upholding and honoring the Hippocratic Oath than lining their pockets. I feel a sense of guilt, as though I am betraying my Medicare patients. I have realized, however, that it is not I that has betrayed the elderly, rather Congress.''

I think it's important for us to move forward with this legislation. It's a matter of survival for the delivery of health care to many seniors, particularly those who come from places like I do where the population is Medicare dependent. And I appreciate the gentleman from Louisiana giving me the opportunity to express my position and to indicate once again that I will override President Bush's veto.

Mr. DINGELL. Madam Speaker, at this time, I'm happy to yield to the distinguished gentlewoman from Colorado (Ms. DEGETTE) 2 minutes.

Ms. DEGETTE. Madam Speaker, although these much-needed updates for physician payments are the crux of today's bill, numerous improvements to the Medicare program and beneficiary protections are also included. It also provides incentives for physicians to use e-prescribing technology, and it extends and vastly improves low-income-assistance programs for very-low-income Medicare beneficiaries.

And it includes a 2-year reauthorization of the Special Diabetes Programs for Type 1 diabetes and for American Indians, which has been a priority of the Congressional Diabetes Caucus for many years. Thanks to over a decade of investment in the Special Diabetes Programs, we can point to tangible and significant progress, such as the creation of an artificial pancreas, that is improving the lives of many people.

And this multiyear reauthorization was just what we needed. I want to talk for a minute about Medicare Advantage though. Medicare Advantage was originally conceived of as a way to save money in the Medicare system. But the way it has evolved over the years, we now have 13 percent overpayments to the insurance companies that administer Medicare Advantage. There is no evidence that this money goes to the senior citizen beneficiaries. And there is further no evidence that if we cut these overpayments that these senior citizens are going to lose their insurance, because there is no evidence that they're getting that 13 percent overpayment.

Now I would suggest if there was a 13 percent overpayment to the traditional Medicare program, the other side would be having a fit because we would just be throwing money away. But, according to them, it's all right if we throw 13 percent away and give it to private insurance companies.

In my opinion, we need to bring our entire Medicare program into balance no matter how it is being administered. We need to be sure that it's ministered efficiently. And ultimately, we need to restore balance to our entire health care system. Vote ''yes'' to override this veto and restore the physician payments.

Mr. BARTON of Texas. Madam Speaker, could I inquire as to the time remaining on the four sides.

The SPEAKER pro tempore. The gentleman from Texas has 7 minutes, and the gentleman from Michigan has 8. The gentleman from Louisiana has 5½, and the gentleman from California has 9½.

Mr. BARTON of Texas. Madam Speaker, I don't have any speakers at this time, so I will reserve the balance of my time.

Mr. STARK. Madam Speaker, I'm pleased to yield 1 minute to the distinguished gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. I thank the gentleman for yielding.

This debate has a familiar feel. Once again the President has vetoed legislation important to rural America, legislation that was supported by a broad bipartisan consensus in this body. We saw the same thing in the farm bill, overrode him once, overrode him twice, and we need to override today as well. Those that argue that rural interests are best served by standing with the President's position on this are arguing that we ought to pay insurance companies more, cut doctors, cut hospitals and somehow this produces a better health result. It doesn't stand up.

This bill provides very important reimbursements, not just to physicians, but also to struggling rural facilities representing the infrastructure for health care in rural America. Passing this bill and overriding the veto addresses physician payments. It addresses critical-access hospitals. It addresses sole-community hospitals. It addresses rural ambulance services. It addresses rural pharmacies. That is why the Rural Health Care Association supports the bill. It is why the Rural Health Care Coalition supports the bill. Please vote to override.

Madam Speaker, I rise in strong support of overriding the President's veto of H.R. 6331, the Medicare Improvements for Patients and Providers Act, legislation that strengthens the Medicare Program and maintains our commitment to rural America.

With an estimated 40 percent cuts in physician payment reductions under Medicare expected by 2016, Medicare's physician payment system is clearly broken. Because of the flawed Sustainable Growth Rate, 2008 Medicare physician payment rates are about the same as they were in 2001. This has prevented some physicians and the hospitals who employ them from making needed investments in staff and health information technology as well as created a great deal of uncertainty and instability for physicians and hospitals as they run their businesses.

H.R. 6331 takes an important step forward by reversing these previously scheduled cuts in Medicare payments over the next 18 months while also providing a 1.1 percent update for 2009. This translates to at least $30 million for North Dakota's doctors and hospitals over the next year and a half, bringing relief for many of our struggling hospital systems. I am hopeful that these 18 months will give Congress the time it needs to make commonsense and much needed reforms to the SGR system so that North Dakota hospitals and doctors will have the fairness and stability in Medicare payments they deserve.

H.R. 6331 also makes a strong commitment to maintaining access to important rural health services by investing in $3 billion in our vulnerable rural health care delivery system. Rural America continues to be challenged by shortages of health care providers, barriers to health care access, and geographic isolation. In my own home State of North Dakota, approximately 80 percent of the State is designated as a partial or full county Health Professional Shortage Area. In order to address these unique challenges, the Medicare Modernization Act (MMA) enacted special payment enhancements to make sure that rural health care facilities and providers have the resources they need to deliver quality care in their communities.

Unfortunately, many of these important provisions have expired and further assistance is needed to ensure that seniors living in rural America have access to quality, affordable health care. That is why Representative GREG WALDEN and I, as co-chairs of the bipartisan Rural Health Care Coalition, introduced H.R. 2860, the Health Care Access and Rural Equity (H-CARE) Act, legislation that addresses these and other barriers to quality health care by recognizing the unique characteristics of health care delivery in rural areas and assisting rural health care providers in their efforts to continue to provide quality care to rural Americans.

I am pleased that the Medicare Improvements for Patients and Providers Act (MIPPA) of 2008 incorporates many important provisions from H-CARE that will do much to protect the fragile rural health care safety net. More specifically, MIPPA will do the following:

Ensure that rural doctors are paid the same rate for their work as their urban counterparts by extending the 1.0 work floor on the Medicare work geographic adjustment applied to physician payments through 2009, bringing in $9 million to North Dakota;

Improve Medicare reimbursements for Critical Access Hospitals by directly increasing payments for critical lab services performed outside the hospital that will benefit North Dakota's 34 CAHs;

Boost reimbursements to sole community hospitals by updating the data used to calculate their Medicare reimbursements;

Protect access to rural ambulance services by providing rural ambulance providers an additional three percent of their Medicare reimbursement in order to help cover their costs;

Require prompt payment to rural pharmacies by Medicare prescription drug plans;

Extend a provision that allows 19 North Dakota hospital-based labs to directly bill Medicare for pathology services;

Expand access to telehealth services by allowing hospital-based renal dialysis facilities, skilled nursing facilities, and community mental health centers to be reimbursed under Medicare for telehealth services;

Reauthorize and expand the FLEX Grant Program to include a new grant program that could mean up to $1 million to Richardton, North Dakota, as they convert from their status as a Critical Access Hospital; and

Extend Section 508 of the Medicare Modernization Act which provides nearly $10 million a year to North Dakota hospitals to give them the resources they need to compete in an increasingly competitive labor market.

The Medicare Improvements for Patients and Providers Act is a good bill that has been endorsed by the National Rural Health Association and deserves every Member's support.

We should quickly override this veto so that our health care providers can get back to their business of caring for our seniors without the uncertainty that has been hanging over their heads for the last 2 weeks.

Mr. MCCRERY. Madam Speaker, I reserve the balance of my time.

Mr. DINGELL. Madam Speaker, at this time I yield to the distinguished gentlewoman from California (Ms. SOLIS) 2 minutes.

Ms. SOLIS. Madam Speaker, today I rise with my colleagues to support the overriding of the President's veto on this legislation that will protect our seniors. Did you know that over 44 million vulnerable Medicare patients are depending on us to pass this bill? By vetoing the legislation, President Bush is ignoring the needs of our seniors, the disabled individuals and our doctors.

Less than a month ago, Congress passed the bill by a margin of 355–59. I voted for the bill so I could help ensure that 70,000 Medicare beneficiaries, patients in my district, would be able to receive their continued health care. The bill includes programs that help low-income Medicare patients, including low-income Latinos. Although Latinos make up only 6 percent of the overall Medicare beneficiaries, more than 14 percent are considered low-income seniors. Allowing a 10 percent cut would be devastating to patient providers practicing in communities like mine in East Los Angeles.

I have heard from many of my constituents that some California physicians, even in my own district, are considering not taking any more Medicare patients because of the inadequate reimbursement rate. Even less access would be imposed upon a community that is already faced with health care disparities and being able to access health care. Organizations across the country understand the importance of this piece of legislation including AARP and the American Medical Association.

I encourage all of my colleagues, Members of Congress, to help us override the President's misguided veto and to stand first and foremost for our seniors and those disabled Americans that are counting on our work here in the Congress.

Mr. STARK. Madam Speaker, I am delighted to recognize the gentlelady from Ohio (Mrs. JONES) for 1 minute.

Mrs. JONES of Ohio. I thank the gentleman for yielding.

I know sometimes we stand on this floor and we talk about health care for seniors in isolation. I stand here among my colleagues with many like me who have lost both of their parents. And but for Medicare and the services they received, their last health care probably would not have been as good or as great. We can stand here and talk about, well, the President didn't want to hurt anybody by overriding the veto. And we can stand here and talk about long-term policy down the line. But what we can't talk about is the health disparities that exist in our country and the study that was recently released that talked about minorities have more amputations than any other group of folks in America. And it doesn't talk about the issue of diabetes that overrides the minority communities across this country. Come on, y'all, let's get a life. Let's wake up, and let's help these seniors by overriding this veto.

And if we want to talk about better health care, better policy down the line, then let's do it. But let's not do it on the backs of the seniors who have worked all of their lives in order for us to be here to even be in Congress. Thank God I had a mom and a dad.

Mr. DINGELL. Madam Speaker, at this time, I yield to the distinguished gentlewoman from California, the vice chairman of the Subcommittee on Health, Mrs. CAPPS, 2 minutes.

Mrs. CAPPS. Madam Speaker, I rise in strong support of this veto override. It is apparent that President Bush has chosen to ignore the will of the American people and an overwhelming bipartisan majority in the House and the Senate. He would rather cozy up to his friends in the insurance industry than improve access to health care for our seniors, our frail seniors, and those with disabilities.

I am proud to support H.R. 6331, our seniors and our health care professionals who need this legislation. Yes, this is an 11th-hour fix, so it is not the best way to do business here. It allows me to express a strong word of appreciation for our Chairman DINGELL and chairman of the subcommittee, Mr. PALLONE, for their leadership in bringing to the floor and supporting a long-term solution which we passed in this House last year, known as the CHAMP Act, a comprehensive way to deal with challenges for our seniors on Medicare.

It is a solution that will bring us to where we should be in the long-term for reimbursing our physicians and those who provide services. So until we have a new administration in the White House, we have to do what we can to protect physicians and to protect their patients. H.R. 6331 does the right thing by preventing a 10 percent cut in reimbursements. And we all know the stories of our senior citizens who fear the loss of their provider, particularly in hard-to-serve areas like rural America.

I urge my colleagues to do the right thing, to vote to override the President's veto.

□ 1530

Mr. STARK. Madam Speaker, I am pleased to yield 1½ minutes to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Madam Speaker, this isn't the cure-all for everything, but it is a step in the right direction, and we should take note.

It cracks down on fraud in Medicare which is one of the ways we make payments to doctors and seniors. It ensures that we don't overpay health insurance companies for the care you get for less money. It begins us on a process to make sure that we have an e-prescribe system. And most importantly, what this does is preserve the doctor and senior patient relationship. This is the right step to do.

Not only are we taking this step in helping Medicare and preserving the relationship between doctors and patients, it builds on the progress we have made by restoring $14 billion to veterans' health care.

Also, just the other day we reversed six of the President's rules and regulations as it relates to Medicaid. Unfortunately, we haven't taken that step as it relates to 10 million children and their health care program.

But this Congress, from Medicare to Medicaid to our veterans, has begun to take the steps that are necessary, that are important to health care reform, to ensure that people have access to the doctors that they need and the system that we have that once again preserves the relationship between doctors and patients.

So on a host of fronts, whether you want to crack down on fraud, whether we want to make sure that we are not overpaying insurance companies, whether we want to make sure we are preserving the relationship between doctors and their patients, this is the right step in the right direction, and I am proud that it is done in a bipartisan fashion, once again putting the American people first.

Mr. DINGELL. Madam Speaker, I yield at this time to the distinguished gentleman from Pennsylvania (Mr. ALTMIRE) 1 minute.

Mr. ALTMIRE. Madam Speaker, today's vote will be a significant victory for seniors, their doctors, and home medical suppliers. I am especially pleased that two important Medicare provisions that I spearheaded are included in this bill, and after this override will be enacted into law.

This bill delays for 18 months the ill-conceived Medicare durable equipment competitive bidding proposal that, if implemented, will do serious harm to small medical equipment suppliers in western Pennsylvania and around the country.

This bill also incorporates my legislation to provide prescription drug coverage to millions of low-income seniors by permanently eliminating the late enrollment penalty under Medicare part D.

Through his veto, President Bush demonstrates that he does not share our values on these important issues. But this bill is good for western Pennsylvania and good for the Nation, and I ask my colleagues to join me in overriding this veto today.

Mr. STARK. Madam Speaker, I am pleased to yield 1½ minutes to the distinguished gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. I thank the gentleman for his leadership.

''Pay more, get less,'' that's the Bush Medicare plan. The President's veto

means that taxpayers get an opportunity to pay more unnecessarily to subsidize private insurers, while seniors and the disabled get less.

Each person in privatized Medicare costs American taxpayers $1,000 more each year than the cost for one relying on the traditional, more efficient Medicare system. Without change, $150 billion will be wasted on unnecessary subsidies to highly profitable private insurers. Even Medicare's only actuary reports absolutely zero quantifiable savings have occurred through private Medicare, and that savings will never occur through private Medicare as currently set up, a waste of $150 billion bestowed on the insurers. That's the waste that President Bush is so intent on protecting through his veto. We take some of that unnecessary waste and we use it to pay physicians who are working hard and ought not to have a cut in their reimbursement rates, and more importantly, for the many people around this country who rely on those physicians to care for them.

The Administration has refused time and again to offer us any legislative fix on this waste in the so-called Medicare Advantage plan, which is nothing but a disadvantage to American taxpayers and Medicare recipients.

Today, we must overcome this continued obstructionism of the Administration and its allies here in the Congress. We should reject wasteful corporate welfare, protect our physicians, and override this veto.

Mr. DINGELL. Madam Speaker, I yield at this time 2 minutes to the distinguished gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Madam Speaker, I thank the chairman of our committee, Mr. DINGELL, for his leadership on this issue and so many others.

There are two things that relate to health care that absolutely mystify me. The first is that any President, this President, would oppose insuring children in the United States of America. Fought that, fought that, fought that, would not expand and add 10 million children to the health care rolls in our country. I don't understand any President of the United States doing that.

And today, we are here to override his veto. Imagine, vetoing a bill that allows seniors to have doctors take care of them. It's one heck of a way to gut Medicare. There isn't any Medicare unless there are doctors to treat the patients. In this case, it is the seniors of our country.

I am proud that Republicans and Democrats are coming together to provide the vote to override that bad, bad idea. And it serves the country well because when we invest in our people, whether they are children or seniors, we strengthen our Nation.

I thank God for EDWARD KENNEDY and showing his tenacity to get up out of his sick bed to cast that vote which then injected some iron in the spine of Members of Congress. So I join with my colleagues gladly and proudly today to override the President's veto in order to sustain Medicare, to save money, but more importantly than anything else, to invest in their precious lives and to celebrate that generation that all of us hail that made America so strong and so good. Thank you, Congress, for providing the votes to do so.

Mr. STARK. Madam Speaker, I am pleased to yield 1 minute to the distinguished gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. We must overturn the President's veto, Madam Speaker. This time the President has gone too far. He is jeopardizing the health of over 44 million seniors.

This legislation is in the best interest of Medicare patients, physicians, pharmacies, and other care providers. Rolling back this administration's efforts to privatize Medicare is a critical first step in extending the program's long-term solvency.

In overturning the President's veto of this legislation, Congress has the unique opportunity to upend the years of this administration's destructive attempts to privatize Medicare. And if we don't, the risk of not implementing these modest but necessary Medicare changes is incalculable.

Low-income families stand to become further removed from basic medical care, services and drugs. Physicians stand to be forced out of practice. Pharmacies, overburdened by financial stress, will have to consider closing their doors or laying off workers, actions that will only further depress regional economic activity.

As the number of uninsured Americans climbs to new record highs and the economy continues to struggle, this is called for. We must come together, both sides of the aisle, and veto what the President has done.

Mr. STARK. Madam Speaker, I am pleased to recognize the distinguished gentleman from Wisconsin (Mr. KAGEN) for 1 minute.

Mr. KAGEN. Madam Speaker, I rise in support of overriding a veto that is misguided. And I have the honor of speaking here today for the nearly 90,000 people in northeast Wisconsin who are covered by Medicare, people who would otherwise have to pay more money out of their pocket to the insurance company rather than to where it really belongs, for their health care.

This is an opportunity to join together as Democrats and Republicans and do the right thing. Let's override this meaningless veto. Let's allow our President to do the right thing. President Bush needs our help; let's help him by overriding this veto.

Mr. STARK. May I inquire, Madam Speaker, are we prepared to close?

Mr. BARTON of Texas. Madam Speaker, the Energy and Commerce Republicans are prepared to close.

Mr. DINGELL. Madam Speaker, I have one speaker remaining who will close for us.

Mr. BARTON of Texas. Madam Speaker, I yield myself the balance of my time to close, and I believe I have 7 minutes, although I don't believe I will take 7 minutes.

Madam Speaker, I want to try to at least let the American people know what is going on here this afternoon.

I think everybody on both sides of the aisle are for our health care providers. We want our doctors to be fairly reimbursed. We want our hospitals to be fairly reimbursed. We want our pharmacists to be fairly reimbursed. We want our durable medical equipment suppliers to be fairly reimbursed. We want our Medicare and Medicaid beneficiaries and recipients to get quality health care and have the minimum copayments and out-of-pocket expenses necessary for those services. So we have 435 votes for good health care policy in America.

The bill before us is not a good government bill. It is an accountability avoidance bill, in my opinion. It is hard to read exactly what CBO scores this bill, but on subtitle D, provisions relating to part C, section 161, it says, phaseout of indirect medical education, that scores over 5 years a saving of $12.5 billion and over 10 years, $47.5 billion. That's a cut.

Now I am told, I can't prove it, but I am told that $20 billion to $25 billion of that is coming directly out of Medicare Advantage. Those are reimbursement cuts to the 10 million seniors who have chosen Medicare Advantage.

Now the statement has been made on the floor that we are overpaying Medicare Advantage. What happens when there is an overpayment is that 75 percent of that overpayment goes back into the benefit pool for the Medicare beneficiaries that choose that option, and 25 percent goes to the U.S. Treasury. It doesn't go to the insurance companies.

□ 1545

Seventy-five percent of an overpayment is reinvested in benefits for Medicare Advantage beneficiaries, and 25 percent goes as a savings to the taxpayers who are providing the funds. That sounds to me like a pretty good deal.

Now let's talk about the physicians. One of the few good things in the bill is that we are going to delay the physician reimbursement cut of 10 percent that was effective this year. It would have been effective July 1, I believe. That's a good thing.

But is there a reform in this package that sets a different formula for next year and the next year and the next year? No. Were there discussions on a bipartisan basis about that? No. Has any effort that I am aware of really been made to fix that program, to fix that fee schedule? No.

So what happens on the floor next year? We have a 20 percent cut that will go into effect if we don't do something between now and July of next year. That's not good government.

That's, as I said, accountability avoidance.

Let's talk about the pharmaceutical system. There is a good thing in this bill, I have to be honest about that. The prompt pay is a good thing. I support that. But the delay of the average manufacturing price reform is a bad thing. Is a bad thing.

Now I admit there are some problems with average manufacturing price, about definitions of what's included in the cost and what kinds of costs are included, but that's a technical detail that could be worked out. But to delay a true reform that tries to reimburse pharmacists for the true cost of the drugs, to me, is another avoidance in accountability.

Then let's talk about durable medical equipment. GAO says that 10 percent of everything that we pay for durable medical equipment through Medicare is fraud. What we do is delay for 18 months the competitive bidding system that we have been working on for over 10 years. Now it should tell us something that the industry apparently signed off on an across-the-board cut of about 10 percent in order to avoid competitive bidding.

That would tell me that we are overpaying right now for durable medical equipment and oxygen supplies, at least that much, if they are willing to accept an across-the-board cut instead of competitive bidding. The 300 suppliers that won the competitive bidding contracts, they are just out on a limb now. They probably have lawsuit remedies that will cost the taxpayer billions and billions of dollars more. So all we are doing is delaying the reforms that we have worked so hard in the past to implement for 1 year. For 1 year.

Now I understand the politics of that. Any time you tell a constituency, we're going to give you more money this year, that's probably a good thing politically. As I said at the start, I'm friends with the physicians in my district, I'm friends with the pharmacists in my district, I'm friends with the durable medical suppliers in my district, and they're good people. They're trying to provide good services.

But to simply delay some of these reforms for 1 year or 18 months at the costs that are going to be incurred, as I said at the start of my closing remarks, that's not good government, that's accountability avoidance.

I am very happy to support the President's veto. If by some stroke of good public policy we did sustain the veto, we would be happy to work with my friends on both sides of the aisle and in the other body to come up with some true reform, some true changes in public policy that were permanent and would fix this problem, because, mark my words, if we don't sustain the veto, we will be back here next year, and we will probably be doing the same thing that we are doing today.

That's not good government. I hope we will vote to sustain the President's veto.

Madam Speaker, I yield back the balance of my time.

Mr. STARK. Madam Speaker, I yield myself the balance of my time and urge a vote to override the veto.

It isn't everything that everybody wants, but it protects 40 million seniors from losing their access to primary care physicians, and it gives us time to deal with the reforms that are necessary in an orderly way.

We should put an end to the overpayment to Medicare Advantage, to stop giving them a blank check to provide services, which, in many cases, are second rate. Good managed care plans that are not for profit and come under the Medicare Advantage plan can exist at 98 percent of payment. There is no reason to overpay the charlatans who provide second-rate service and overbill the taxpayers by anywhere from 13 to 40 percent.

We have made some advantages and some benefits come together on a bipartisan basis to give us time to do the work that we should to make our Medicare system sustainable, expand its benefits, save money for the taxpayers and provide the kind of quality medical care to which our seniors are entitled. I urge a ''yes'' vote to override the veto.

Madam Speaker, I yield back the balance of my time.

Mr. MCCRERY. Madam Speaker, I yield myself the balance of my time.

I want to talk about two things quickly in closing. There has not been much said during this debate about part of the President's veto message that I think is important. So I am going to read that section from the veto message. It concerns the prescription drug program. The President says, ''The bill would constrain market forces and undermine the success that the Medicare Prescription Drug Program has achieved in providing beneficiaries with robust, high-value coverage—including comprehensive formularies and access to network pharmacies—at lower-than-expected costs. In particular, the provisions that would enable the expansion of ''protected classes'' of drugs would effectively end meaningful price negotiations between Medicare prescription drug plans and pharmaceutical manufacturers for drugs in those classes. If, as is likely, implementation of this provision results in an increase in a number of protected drug classes, it will lead to increased beneficiary premiums and copayments, higher drug prices, and lower drug rebates. These new requirements, together with provisions that interfere with the contractual relationships between part D plans and pharmacies, are expected to increase Medicare spending and have a negative impact on the value and choice that beneficiaries have come to enjoy in the program.''

I think that is an important consideration as we decide whether to sustain or override the President's veto.

Just one other item, and that's this question of paying the insurance companies more than the regular Medicare reimbursement. That has been often stated but still is not the case. By law, the margin over the regular Medicare payments have to go in these plans to beneficiary services or reduction of premiums or go back to the trust fund. That extra margin does not go to the insurance companies.

In fact, GAO did a study of the margins of profit of these insurance plans and Medicare Advantage and found that the average margin of profit was 5 percent, a margin that is considerably lower, I might add, than some other sectors of Medicare services. I just wanted to clear that up and urge all of my colleagues to consider this vote very carefully and urge them to sustain the President's veto.

Madam Speaker, I yield back the balance of my time.

Mr. DINGELL. Madam Speaker, at this time I yield to the distinguished Speaker of the House, Ms. PELOSI, the remainder of my time.

Ms. PELOSI. I thank the gentleman for yielding, I commend him for his extraordinary leadership on this subject.

Madam Speaker, I have not been able to watch the entire debate, because I was involved in meetings, but I hope it was made known to all who are following this debate how historic this is that we have Mr. DINGELL as part of the management of this bill and bringing this bill to the floor. He comes from a strong tradition of access to affordable, reliable health care for all Americans.

His father had it as his life's work in the Congress. Mr. DINGELL was a young Congressman at the time he sat and presided. He sat in the chair and presided and gaveled the passage of the Medicare bill. I don't know if that has been discussed here today, but I want to be sure that all who follow the record of Congress know of the long history, the family tradition and the tremendous leadership that Mr. DINGELL has provided in this regard.

I also want to commend Mr. PALLONE from the Energy and Commerce Committee for his work in this important legislation; Mr. STARK, the Chair of the committee of jurisdiction in the Ways and Means Committee. Thank you, Mr. STARK, for your leadership. I also commend Mr. RANGEL for the important work that he did to make this vote possible today.

People across America saw us pass this bill before the Fourth of July break, and it was celebrated by seniors who were concerned, and with people with disabilities, who were concerned about the impact of this however modest reform of Medicare. After the break, the Senate took up the bill once again. They failed with 59 votes the first time. You need 60 in the Senate, as you know.

The whole country was jubilant and applauded when Senator KENNEDY came to the floor, a fighter for America's seniors, a fighter for people with disabilities, a fighter for our children,

a fighter for working families in America. He left his own physical challenge behind to come to the floor of the Senate all the way from Massachusetts to be the 60th vote.

It was such an historic moment, and nine Republican Senators changed their votes on the strength of Senator KENNEDY's vote. It was 59 until he voted, and then he made the 60th, and then it became 69, and it was pretty exciting. People cheered, and everyone was tear filled and happy that this happened, affordable, reliable, health care for America's seniors and those with disabilities passed.

Then the President said that he would veto the bill. It was such a downer.

Here we are again today to come back to have an overwhelming bipartisan support in the Congress of the United States, in the House of Representatives, to say to the American people we understand the challenges they face. All of the seniors organizations and disabilities groups, of course, support this legislation, but just about every health-care providing group in our country supports this legislation as well, except one, and that is some in the health insurance industry. I guess the President is voting with them and not with America's seniors and those with disabilities when he vetoes the bill.

I am very proud of the work of, again, Mr. RANGEL, Mr. DINGELL, Mr. PALLONE, Mr. STARK. I thank them for their leadership. You have given us an opportunity to vote for the American people, not only as their representatives, but on their behalf, and we are all grateful to you for that. I urge a vote to override the veto.

Mr. MICA. Madam Speaker, I plan to vote to sustain the President's veto on H.R. 6331.

I wanted to clarify my action to sustain the President's veto on H.R. 6331, the Medicare Improvements for Patients and Providers Act of 2008. First let me say that I in no way support a 10.6 percent reduction in payment to our physicians that participate in Medicare, nor do I support the meager .5 percent increase to physicians in this legislation. Both the proposed cuts and the increase are an insult to one of our Nation's most honorable and vital professions.

I did not support this measure when it came before the House of Representatives because of the aforementioned reasons, and furthermore I think it is degrading to the medical profession to force physicians and medical professionals to come before Congress time and time again since 2002 and most recently in December of last year to plead with Congress not to cut their Medicare reimbursements for services rendered.

The override of this Presidential veto is not a victory for the medical profession, the American Medical Association or the hard working dedicated physicians that I represent. In fact passage of this measure over the President's veto only exacerbates the situation and in 18 months physicians will face the prospect of a 20 percent cut in their payment. Furthermore this bill takes an estimated $48 billion from the Medicare Advantage Program—a program designed to provide our seniors with choices.

It is imperative that Congress address the deteriorating condition of the Medicare program and enacts corrective measures that will keep this reoccurring nightmare cast upon our medical professionals from happening again in the future. What is even worse, the bill has proposed budget gimmicks that will contribute to further unnecessary increases in Medicare spending and aid in the further financial destruction of the Medicare program.

Congress must get serious and address the deficiencies in our Medicare system especially as we face an onslaught of baby boomers soon to be eligible for the program.

Mr. BACA. Madam Speaker, today, we find ourselves fighting for H.R. 6331, the Medicare Improvements for Patients and Providers Act of 2008.

It is with great pleasure that I stand here today in support of this necessary veto override measure, fighting and doing my part to protect our seniors, the disabled and the American people.

For months now, I have been actively listening to leaders in my district in San Bernardino, California, about the necessary need to pass H.R. 6331.

Congress has made it clear over the last weeks that we are standing our ground on behalf of the American family.

Unfortunately, President Bush is playing politics on the backs of our seniors and today vetoed H.R. 6331. This is unacceptable. Congress will not stand by and watch our seniors on Medicare get turned away next time they go see their doctor.

This is not about politics; it's about our struggling American families that are constantly choosing between putting food on the table and paying for medicines.

Today, I proudly will vote to override the President's veto and put America's seniors and their families first.

I urge my colleagues to vote for this veto override and remember that we are here to represent the families in our district that so desperately need help.

Mr. ETHERIDGE. Madam Speaker, I rise to express my support for this vote to override the President's veto of H.R. 6331, the ''Medicare Improvements for Patients and Providers Act of 2008.'' We cannot abandon Medicare's promise to America's seniors and disabled citizens that they would have access to high quality health care in their time of need.

As of July 1, physicians face a 10.6 percent cut in their payments from Medicare. As of July 1, patients undergoing a variety of medical treatments, from radiology to oxygen treatments, face a cutoff in services. As of July 1, the relationship between medical suppliers and the beneficiaries they serve is at risk.

Madam Speaker, this bill fixes all of these threats to Medicare and improves access in many other ways. Instead of a cut, it provides a slight increase in payment for physicians, ensuring doctors can continue providing Medicare services. Instead of cutting beneficiaries off from their medical services, it allows exceptions to current caps on medical therapy. It also ensures access to community pharmacies, by providing for fair and prompt payment for prescriptions.

Additionally, H.R. 6331 improves access to health services for all Medicare beneficiaries. It extends grants that rural health care providers can use to improve the quality of care facilities provide and to strengthen health care networks. It supports telehealth services in rural communities, improves access to ambulance services for small hospitals, and increases Medicare payments for community health centers.

By overriding the President's veto, Congress is standing with seniors and their ability to continue to see the doctors they know and trust. By overriding the veto, we are standing for better health care for all Medicare beneficiaries. I urge my colleagues to join me in continued support of this bill.

Mrs. CHRISTENSEN. Madam Speaker, today I rise in strong support of H.R. 6331—The Medicare Improvements for Patients and Providers Act. I also rise to urge all of my colleagues—on both sides of the aisle—to do what this President won't: to protect the millions of seniors and people with disabilities who rely on Medicare to preserve their health and well-being.

As a physician and as the Chair of the CBC Health Braintrust, I find it more than unfortunate that this President would veto a piece of sound health legislation that would help our Nation's most vulnerable, and that would prevent the catastrophic payment cuts to physicians. With this override, we will ensure that seniors and active-duty military personnel and retirees have access to doctors who they not only know, but who they trust.

Additionally, I feel strongly—as do more than 150 national organizations—that H.R. 6331 is a bill that needs to be enacted because it will reduce many of the health inequities that disproportionately and detrimentally affect millions of racial and ethnic minorities, as well as rural Medicare beneficiaries, by: strengthening the collection of data to better assess and identify solutions to health disparities; enhancing the scope of preventive and mental health benefits; bolstering low-income assistance programs for Medicare beneficiaries; improving access to quality health care for the millions of rural Americans—a disproportionate number of whom are racial and ethnic minorities—who currently experience insurmountable barriers to care; strengthening and reforming the Medicare Advantage plans without reducing access to the services needed by the tens of thousands of seniors who rely on them to stay healthy; and protecting access to pharmacies so that our seniors have consistent and reliable access to their medications and so that our pharmacies—particularly those in low-income communities—are reimbursed promptly and adequately by Part D programs.

Madam Speaker, this bill passed in the Senate 1 month after it passed in the House, and did so with a veto-proof margin.

We—as a Congress—have not had many successes with introducing and passing smart and sound health policies that are as socially and medically appropriate as they are fiscally responsible. This bill could be one such success and I therefore urge my colleagues to vote ''yes'' on this important bill.

Mr. CONYERS. Madam Speaker, I rise to voice my strong support for overriding the President's veto of H.R. 6331, the Medicare Improvements for Patients and Providers Act of 2008. This important legislation amends titles XVIII and XIX of the Social Security Act to extend, for 18 months, expiring provisions under the Medicare program. This bill prevents the implementation of a scheduled 10.6 percent cut in Medicare reimbursements for physicians and other health care professionals,

and extends the 0.5 percent payment update for 2008 and provides a 1.1 percent payment increase for physicians in 2009.

In addition to delaying reimbursement cuts, H.R. 6331 speeds up reimbursements for Medicare Part D claims and delays cuts to Medicaid generic prescription drug reimbursement. The bill also includes a delay in the flawed Medicare DMEPOS (durable medical equipment, prosthetics and supplies) competitive bidding program. H.R. 6331 also improves beneficiary access to preventive and mental health services by eliminating discriminatory co-payment rates for Medicare outpatient psychiatric services.

The reimbursement cuts that went into effect on July 1 have shaken the Medicare system to its very core. It boggles the mind to think that, with an aging population and a worsening physician shortage, this administration and congressional Republicans have turned their backs on hard-working physicians who care for millions of Medicare patients across the country.

I want to reassure Michigan's Medicare doctors that I will never turn my back on those who care for our parents and grandparents. I am proud that, with this vote, the Democratic majority is standing up for Michigan's Medicare doctors—a group of physicians who regularly make financial sacrifices when they accept Medicare patients. Our support stands in sharp contrast to the administration's position. Instead of encouraging our best and brightest doctors to participate in the Medicare program, the administration would encourage doctors to turn needy seniors away from their waiting rooms.

Similarly, I will never play politics with health security of those in our society who survived the Great Depression and won two world wars.

Madam Speaker, at this time the passage of H.R. 6331 is a simple necessity. We must protect our seniors and Medicare doctors while we work to achieve a comprehensive solution to our Medicare problems. I encourage my colleagues to support this veto override effort.

Mr. MARKEY. Madam Speaker, I rise today to urge a ''yes'' vote on overriding President Bush's veto of the urgently needed Medicare Improvements for Patients and Providers Act of 2008. Over the last several months, President Bush has had an opportunity to work with a bipartisan majority of Congress to enhance access to care for our Nation's seniors, disabled, and military families by preventing cuts in reimbursement to physicians.

The President had an opportunity to invest in our country's health by ensuring that seniors would continue to have access to physicians in the Medicare program. But instead, he opted to throw patients and physicians under the proverbial bus, all for the sake of padding the pockets of the Medicare Advantage program.

A veto of the President's override would not only improve seniors' access to health care, it would also increase investment in preventive health care, expand programs in rural communities, and guarantee mental health benefits. For our active-duty military personnel and military retirees, a veto override will ensure they have access to doctors they know and trust in the military health care program, Tricare.

This bill is supported by over 150 large organizations, and most importantly, by a vast majority of our Nation's seniors, disabled, military families, and physicians. We need to build on the success of this program and override this ill-timed and unconscionable veto.

At a time when the population of seniors seeking Medicare services continues to grow, what does the President do? He vetoes a bill written to prevent cuts to Medicare physicians, and in doing so, threatens seniors' access to Medicare providers. This is absolutely unacceptable.

To my Republican colleagues, who are considering how to vote on this bill today—given the overwhelming support for this bill from the patient and provider community, I urge you to reject the President's stand against patients and physicians in favor of the insurance industry and join the overwhelming majority of the American public who support this legislation.

It has been said that ''Health is the first wealth.'' Well, what does it say about our country when seniors, military families, and physicians are pushed aside for the interests of the insurance industry? Let's not put increased wealth for the insurance companies above the health of our seniors. We must give seniors the access to the health care that they need and deserve, and that is what today's veto override vote will accomplish.

I urge an ''aye'' vote to override this veto.

Mr. LEVIN. Madam Speaker, I urge the House to join me in voting to override the President's veto of the ''Medicare Improvement for Patients and Providers Act of 2008.''

A vote to override the President's veto of this bill is a vote in support of our seniors and their doctors. It is a vote in support of people who have worked hard, who have contributed, who have earned the best health care available to them at this stage of their lives. It is a vote that sends a clear message that politics should not get in the way of their access to the care they deserve.

H.R. 6331 prevents a pending 10 percent reduction in the payments physicians receive for treating Medicare patients. The bill also allows for the expansion of preventive care services under Medicare, reforms the pharmacy payment process for the benefit of our small community pharmacies, and delays and repairs a flawed competitive bidding process for durable medical equipment.

We must continue a vigorous effort to ensure that Medicare remains strong for all of the Nation's citizens. This bill honors that commitment without delaying difficult decisions about Medicare's funding future; it is fully paid for.

I encourage all of my colleagues to vote in favor of the veto override.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today in strong support of overriding President Bush's veto of H.R. 6331, the ''Protecting the Medicaid Safety Net Act of 2008.'' I would like to thank my colleague from New York, Chairman CHARLES RANGEL and Congressman DINGELL for their leadership in this important issue.

This legislation could not come at a more crucial time. Americans are in need of support. Rising gas prices, food costs at an all time high, and a rocky housing market has pushed this great Nation toward an economic downturn. Families are clinging to basic necessities and quality healthcare is own of those essential needs.

I am pleased to see that there is no language that inhibits physician ownership of general acute care hospitals. I have worked tirelessly with members of leadership and with the Texas delegation to support general acute-care hospitals and their future development. Physicians who have decided to build in areas where often no other hospital will—should not be penalized for their commitment to work on the clinical and business side of health care.

General acute-care hospitals still need to be able to:

Maintain a minimum number of physicians available at all times to provide service;

Provide a significant amount of charity care;

Treat at least one-sixth of its outpatient visits for emergency medical conditions on an urgent basis without requiring a previously scheduled appointment;

Maintain at least 10 full-time interns or residents-in-training in a teaching program;

Advertise or present themselves to the public as a place which provides emergency care;

Serve as a disproportionate share provider, serving a low-income community with a disproportionate share of low-income patients; and

Have at least 90 hospital beds available to patients.

This issue is of the utmost importance to me because I, like others in the Democratic Caucus, have hospitals and hospital systems such as University Hospital Systems of Houston in my district that would have been greatly affected by this provision.

For example, 2 years ago St. Joseph Medical Center, downtown Houston's first and only teaching hospital, was on the verge of closing its doors. However, a hospital corporation in partnership with physicians purchased it, and as a result of proper and responsible management, has made it the premier hospital in the region, with a qualified emergency room responsive to a heavily populated downtown Houston. St. Joseph Medical Center is also in the process of reopening Houston Heights Hospital, the fourth oldest acute care hospital in Houston. This hospital will be serving a large Medicare/Medicaid population.

I am committed to this issue and to the issue of health care for all Americans. Provisions that could end the expansion of truly compassionate hospital care in places like Texas, Maryland, New York, and California have no place in health care legislation.

What I do support is legislation that seeks to aid our elderly, our disabled, our veterans, our children and our indigent populations. I stand here today to show my support not only for the physicians and medical care providers of Houston, Texas, but for all of our health care providers across this country. We need them to continue to be able to care for our underserved and elderly—this bill allows them to do just that.

This bill provides a delay of 18 months for the competitive bidding program for durable medical equipment (DMEPOS). It also prevents the 10.6 percent pay cut to physicians that is scheduled to take place on July 1, and provides a 1.1 percent update starting January 1, 2009.

This bill also includes important beneficiary improvements such as Medicare mental health parity, improved preventive coverage, and enhanced assistance for low-income beneficiaries.

It contains provisions that will protect the fragile rural health care safety net. In my home state of Texas, we have not only great urban areas such as Houston, Dallas and

Austin, we have over 300 rural areas in Texas with cities such as Rollingwood and Hamilton.

Our rural health care providers are scheduled to receive steep cuts in Medicare reimbursement rates on July 1 unless we take action now. Such cuts are catastrophic in rural America, where a disproportionate number of elderly Americans live. These seniors are, per capita, older, poorer and sicker (with greater chronic illnesses) than their urban counterparts. Additionally, recruitment and retention of providers to much of rural America is often daunting. Provider shortages are rampant throughout many rural and most frontier regions.

Additionally, H.R. 6331 also includes several other critical provisions for rural providers which, cumulatively, create a rural package that will help protect both the rural health safety net and the health of tens of millions of seniors who call rural America home.

H.R. 6331 focuses on strengthening primary care and takes significant strides in protecting rural seniors' access to care by correcting certain long-standing inequities between rural and urban providers.

Thank you both for your continued concern for the health of rural Americans. So many enduring inequities in health care must be faced by rural patients and providers daily. H.R. 6331 offers critical assistance and will go far to improving the health of millions of rural Medicare beneficiaries.

Quality measures must continue to be adequately funded in order to promote quality, cost-effective health care for consumers and employers. The uncertainty of Medicare payments makes it increasingly difficult for surgeons and their practices to plan for the expenses that they will incur as they serve their patients.

The provisions included in H.R. 6331 would enable surgeons and surgical practices to plan for the rising costs that they will continue to face over the next year and a half.

By addressing payment levels through 2009, Chairman RANGEL has given us more time to study the payment issues surrounding Medicare and allow us to look at the systemic reforms needed to preserve access to quality surgical care and other physician services.

As a longtime advocate for universal health care, I believe we must continue to support our essential medical providers so that they can focus on patient care. We need more physicians as we seek to expand health care for all Americans. Yet, how can we expect to grow that workforce when we continue to cut their reimbursement levels? We must support our physicians so that they may support and care for their patients. We have to continue to look at how we can save Medicare and expand it to care for those who need it most. Finally, with the recent passing of Dr. Michael E. Debakey, I hope his life and legacy will inspire the Congress to continue to build up the system of the health in America for all Americans.

I urge my colleagues to join me in overriding the President's veto of this very important legislation.

Mr. FARR. Madam Speaker, I rise today in support of overriding the President's veto of this Medicare bill. I may not sit on the Ways and Means Committee but I have followed the progress of this bill minute-by-minute, it seems. The seniors in my community need this bill. The doctors in my community need this bill. If this country wants to assure affordable health care for its elderly, this country needs this bill.

The President's veto of this bill was a poorly cloaked nod to the insurance industry. While the rest of us are trying to find a way to reform the Medicare system, the White House is trying to find a way to privatize it. Whereas government has the charge of making sure the program delivers health care efficiently, private insurance has the charge of making sure the program brings a profit to shareholders. Taxpayer dollars should not be making insurance companies rich.

I urge all my colleagues to vote to override.

Mr. VAN HOLLEN. Madam Speaker, I rise in strong support of overriding the President's veto of the Medicare Improvements for Patients and Providers Act of 2008.

It is very unfortunate that the President has sided with the interests of certain big insurance companies against the health care needs of seniors. There are a number of important provisions in this legislation that will benefit more than forty-four million Medicare beneficiaries by preserving patient access to physicians, enhancing preventive and mental health benefits in the Medicare program, extending expiring provisions for rural and other providers, and improving assistance for low-income seniors. Unlike the President, Congress has put aside party politics and is protecting and preserving the health care that seniors depend on.

Madam Speaker, this is an issue that affects all Americans. I strongly urge my House colleagues to override the President's veto on this bipartisan legislation.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Under the Constitution, the vote must be by the yeas and nays.

Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: motion to suspend on House Resolution 1259; motion to suspend on House Resolution 1323; and passing H.R. 6331, the objections of the President to the contrary notwithstanding.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

CONGRATULATING THE HAMILTON COLLEGE CONTINENTALS ON WINNING THE NCAA DIVISION III WOMEN'S LACROSSE CHAMPIONSHIP

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1259, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BISHOP) that the House suspend the rules and agree to the resolution, H. Res. 1259, as amended.

The vote was taken by electronic device, and there were—yeas 423, nays 0, not voting 11, as follows:

[Roll No. 489]

YEAS—423

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bono Mack
Boozman
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski

LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—11

Barrow
Bonner
Boswell
Broun (GA)
Cubin
Lewis (GA)
Pearce
Pryce (OH)
Rush
Tancredo
Wamp

□ 1627

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONGRATULATING HON. HOWARD COBLE ON BECOMING LONGEST-SERVING REPUBLICAN IN NORTH CAROLINA HISTORY

(Mr. HAYES asked and was given permission to address the House for 1 minute.)

Mr. HAYES. Madam Speaker and ladies and gentlemen of the House and my follow colleagues, today Congressman JOHN HOWARD COBLE from the Sixth District of North Carolina makes history by becoming the longest-serving Republican in the history of the North Carolina delegation.

Mr. COBLE. Will the gentleman yield to me?

Mr. HAYES. Not yet.

Madam Speaker, the dean and the daddy of the delegation is not known as one of the rich and famous in Washington, D.C., but is the most eligible bachelor on the Hill.

And as I say that, I yield to my daddy.

Mr. COBLE. Madam Speaker, I did not know this was coming.

I thank my friend from North Carolina. And my colleagues, thank you for the very generous ovation. I appreciate that very much.

Mr. Majority Leader, at Pinehurst, North Carolina, the golf capital in my district, some days ago a man came up to me and said, ''Are you planning on retiring?'' I told him I was not planning on voluntarily retiring, but I did say to him that I will not try to emulate Strom Thurmond's record.

But I thank you again, gentlemen.

Mr. HOYER. Would the gentleman from North Carolina yield?

Mr. HAYES. I'm happy to yield.

Mr. HOYER. I want to rise and join my friend from North Carolina in recognizing my good friend. HOWARD COBLE and I vote together about 1 or 2 percent of the time, I'm sure, but he has become a very dear and close friend of mine. HOWARD, I want to congratulate you on your service to your State and to your country.

Mr. COBLE. Thank you, Mr. Leader. Thank you very much.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

COMMENDING THE 2008 WOMEN'S COLLEGE WORLD SERIES CHAMPION ARIZONA STATE SUN DEVILS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1323, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BISHOP) that the House suspend the rules and agree to the resolution, H. Res. 1323.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 425, nays 0, not voting 9, as follows:

[Roll No. 490]

YEAS—425

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bono Mack
Boozman
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano

Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—9

Barrow
Bonner
Boswell
Broun (GA)
Cubin
Lewis (GA)
Pearce
Rush
Wamp

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining.

□ 1641

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEDICARE IMPROVEMENT FOR PATIENTS AND PROVIDERS ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the further consideration of the veto message of the President on the bill, (H.R. 6331) to amended titles XVIII and XIX of the Social Security Act to extend expiring provisions under the Medicare Program, to improve beneficiary access to preventive and mental health services, to enhance low-income benefit programs, and to maintain access to care in rural areas, including pharmacy access, and for other purposes, on which the yeas and nays are ordered.

The question is, will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Under the Constitution, the vote must be by the yea and nays.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 383, nays 41, not voting 11, as follows:

[Roll No. 491]

YEAS—383

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Bono Mack
Boozman
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pelosi
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—41

Akin
Barrett (SC)
Barton (TX)
Bishop (UT)
Blunt
Boehner
Brady (TX)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Cole (OK)
Conaway
Doolittle
Duncan
Flake
Franks (AZ)
Hensarling
Johnson, Sam
Jordan
King (IA)
Lewis (KY)
Linder
Marchant
McCrery
Mica
Neugebauer
Paul
Pence
Renzi
Rogers (MI)
Royce
Sali
Scalise
Sensenbrenner
Smith (NE)
Tancredo
Weldon (FL)
Westmoreland

NOT VOTING—11

Barrow
Bonner
Boswell
Broun (GA)
Cubin
Davis (IL)
Delahunt
Lewis (GA)
Pearce
Rush
Wamp

□ 1648

So (two-thirds being in the affirmative) the bill was passed, the objections of the President to the contrary notwithstanding.

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will notify the Senate of the action of the House.

PERSONAL EXPLANATION

Mr. DELAHUNT. Mr. Speaker, I ask unanimous consent that the RECORD would reflect on rollcall No. 491 that I would be recorded as an ''aye.''

The SPEAKER pro tempore (Mr. CAPUANO). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ELECTING CERTAIN MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Ms. ZOE LOFGREN of California. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1342

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Ms. Speier.

(2) COMMITTEE ON SCIENCE AND TECHNOLOGY.—Ms. Edwards of Maryland (to rank immediately after Ms. Richardson).

(3) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—Ms. Edwards of Maryland.

Ms. ZOE LOFGREN of California (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMITTING DESIGNATION OF INDIVIDUAL TO DISBURSE CAMPAIGN FUNDS UPON CANDIDATE'S DEATH

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3032) to amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3032

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF INDIVIDUAL AUTHORIZED TO MAKE CAMPAIGN COMMITTEE DISBURSEMENTS IN EVENT OF DEATH OF CANDIDATE.

(a) IN GENERAL.—Section 302 of the Federal Election Campaign Act of 1971 (2 U.S.C. 432) is amended by adding at the end the following new subsection:

''(j)(1) Each candidate may, with respect to each authorized committee of the candidate, designate an individual who shall be responsible for disbursing funds in the accounts of the committee in the event of the death of the candidate, and may also designate another individual to carry out the responsibilities of the designated individual under this subsection in the event of the death or incapacity of the designated individual or the unwillingness of the designated individual to carry out the responsibilities.

''(2) In order to designate an individual under this subsection, the candidate shall file with the Commission a signed written statement (in a standardized form developed by the Commission) that contains the name and address of the individual and the name of the authorized committee for which the designation shall apply, and that may contain the candidate's instructions regarding the disbursement of the funds involved by the individual. At any time after filing the statement, the candidate may revoke the designation of an individual by filing with the Commission a signed written statement of revocation (in a standardized form developed by the Commission).

''(3) Upon the death of a candidate who has designated an individual for purposes of paragraph (1), funds in the accounts of each authorized committee of the candidate may be disbursed only under the direction and in accordance with the instructions of such individual, subject to the terms and conditions applicable to the disbursement of such funds under this Act or any other applicable Federal or State law (other than any provision of State law which authorizes any person other than such individual to direct the disbursement of such funds).

''(4) Nothing in paragraph (3) may be construed to grant any authority to an individual who is designated pursuant to this subsection other than the authority to direct the disbursement of funds as provided in such paragraph, or may be construed to affect the responsibility of the treasurer of an authorized committee for which funds are disbursed in accordance with such paragraph to file reports of the disbursements of such funds under section 304(a).''.

(b) INCLUSION OF DESIGNATION IN STATEMENT OF ORGANIZATION OF COMMITTEE.—Section 303(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 433(b)) is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(7) in the case of an authorized committee of a candidate who has designated an individual under section 302(j) (including a second individual designated to carry out the responsibilities of that individual under such section in the event of that individual's death or incapacity or unwillingness to carry out the responsibilities) to disburse funds from the accounts of the committee in the event of the death of the candidate, a copy of the statement filed by the candidate with the Commission under such section (as well as a copy of any subsequent statement of revocation filed by the candidate with the Commission under such section).''.

SEC. 2. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to authorized campaign committees which are designated under section 302(e)(1) of the Federal Election Campaign Act of 1971 before, on, or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous matter in the RECORD on H.R. 3032.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. ZOE LOFGREN of California. Mr. Speaker, I fully support H.R. 3032, a bill to amend the Federal Election Campaign Act of 1971.

This bill will allow Federal election candidates to designate someone to disburse their campaign funds in the event of their deaths. The Federal candidate would be able to designate this person by filing the appropriate form with the FEC and could also revoke or change the designee at that time.

H.R. 3032 will assure candidates for Federal office that the funds raised by their campaign committees will be distributed only in accordance with their express wishes after they are deceased.

H.R. 3032 is a commonsense fix to the Federal Election Campaign Act. It would provide clear direction to campaign treasurers who may be faced with a wide range of conflicting and confusing State laws.

I urge all Members to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, I rise in support of H.R. 3032.

This has an interesting history and it attracted my attention as soon as Mr. JONES spoke to me about it because I had worried myself about what might happen to my campaign funds if something should happen to me. And as a matter of fact, as I was getting wills prepared, I had an attorney draw up a letter that I might sign so I could designate who would be the person to make a decision about my remaining campaign funds.

As you know, by law we are limited to certain dispositions of campaign funds, but the law does not specify how they must be disposed of and in what quantities. And when Mr. JONES approached me, I said, well, that's good because I solved it for myself, but we really should solve it for everyone.

The bill, I think, is an excellent bill, which simply provides that each Federal candidate would be allowed to designate an individual who, in the event of the death of the candidate, would be authorized to make arrangements for the disbursement of campaign funds. He speaks from personal experience in his family, where his father passed away and there was some difficulty deciding how the funds should be disposed of, but also, all of us could face that possibility.

Under current campaign laws, it is understood today that the treasurer can decide what to do with the money and hand it out willy-nilly, whichever way he or she wishes, without any consultation with the family. We think it's very important that the candidate, him or herself, specify very clearly precisely how they want their campaign funds disbursed.

Also, we have made an additional provision in this bill because it is very well possible that a candidate's position may change, or the person he has designated may have passed away, and therefore, a candidate may propose at any time or file with the FEC a statement at any time changing the designation that he or she as a candidate may have made earlier.

We have given a lot of flexibility in this bill. Individuals, candidates, or Members are not required to file such a statement if they don't wish to, but we're simply giving them the option of doing so and of changing it at any time they wish in the future.

At this point, Mr. Speaker, I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, I would like to recognize the author and sponsor of this bill, Representative WALTER JONES, for as much time as he might consume.

Mr. JONES of North Carolina. Mr. Speaker, I will be fairly brief.

I want to thank Chairman BRADY, Ranking Member EHLERS, Ms. ZOE LOFGREN, and you, yourself, Mr. Chairman, for working on this legislation. It certainly is something that we don't think about, life and death, as much as maybe we should and be prepared. But it has been explained by Ms. LOFGREN and Mr. EHLERS exactly what it does. So I want to quickly say that when my father, who served in the Congress 26 years, passed away and we were trying to settle his estate, the treasurer of his account, an attorney, who didn't really want anything, but he said by law I'm responsible for the distribution of these monies. And so it came to me at that time that it should be made as easy for the family as possible when a loved one, if he or she is serving, or maybe a candidate should pass away in office, and it does happen, sadly, from time to time.

So, again, in closing, I want to thank Mr. EHLERS and Mr. BRADY and Ms. LOFGREN for moving this bill to the floor of the House. And I hope one day that the President can sign this because it's what should be done for the family.

Mr. EHLERS. Mr. Speaker, I simply want to commend Mr. JONES for writing this bill and submitting it. I'm very pleased that it has reached this point. I believe it is going to be very helpful to every Member of Congress, both in the House and the Senate, and I commend him for his work on this and I urge its passage.

Mr. Speaker, I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, as I have no additional speakers, I would just urge passage of this bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the bill, H.R. 3032, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1700

FEDERAL ELECTION COMMISSION FINES AUTHORIZATION EXTENSION

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6296) to extend through 2013 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6296

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF ADMINISTRATIVE PENALTY AUTHORITY OF FEDERAL ELECTION COMMISSION THROUGH 2013.

(a) EXTENSION OF AUTHORITY.—Section 309(a)(4)(C) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(4)(C)) is amended by adding at the end the following new clause:

''(iv) This subparagraph shall apply with respect to violations that relate to reporting periods that begin on or after January 1, 2000, and that end on or before December 31, 2013.''.

(b) CONFORMING AMENDMENT.—Section 640 of the Treasury and General Government Appropriations Act, 2000 (Public Law 106–58; 2 U.S.C. 437g note) is amended by striking subsection (c).

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Treasury and General Government Appropriations Act, 2000.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous matter in the RECORD on H.R. 6296.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. ZOE LOFGREN of California. Mr. Speaker, I fully support H.R. 6296, which will extend the Federal Election Commission's administrative fines programs through 2013.

The administrative fines program permits the FEC to impose civil fines on political committees that file late or not at all. The fines program allows the FEC to quickly resolve minor violations of the act and concentrate its resources on more complex enforcement matters. The fines program also assures political and candidate committees that they can resolve minor errors by paying a fixed monetary penalty, avoiding a long and potentially complicated enforcement process.

There has been a significant decrease in the number of late and nonfiled reports since the start of this program. At the FEC the fines program also enjoys the unanimous bipartisan support of all of the commissioners. The fines program is due to expire at the end of this year without congressional intervention. The program should be extended to allow the agency to concentrate on more complex issues once it has a full slate of members.

H.R. 6296 will amend the Federal Election Campaign Act to extend the fines program until December 13, 2013. I urge all Members to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, I yield myself such time as I may consume.

I rise today to support H.R. 6296, which would amend the Federal Election Campaign Act of 1971 to extend through 2013 the authority of the Federal Election Commission to impose civil monetary penalties on political committees that file reports late or not at all rather than going through the traditional enforcement process. This bill is necessary because that authority, which they currently have, expires at the end of this year.

This bill is not a glamorous one. It will not capture the attention of voters who look to Congress to lower the price at the pump, even though we would all like to do that. Nonetheless, it is an important program designed to protect our Nation's campaign process from being thwarted by insisting upon the utmost transparency if an individual chooses to seek public office.

The administrative fine program, which was established in 2000, permits the FEC to assess fines if a candidate is found to be in violation of mandatory Federal campaign finance reporting requirements. Since its inception, the administrative fine program has proven successful in its two objectives:

First, the program frees up commission resources for more complex and higher profile enforcement matters. This is especially important now that the commission has formed and its important work can continue in a bipartisan fashion. Second, it reduces the number of financial reports filed late or not at all, which furthers the goals of the commission as a whole.

As of March 2008, the FEC had collected over $2.1 million in civil penalties for over 1,600 cases processed under the program. The fines collected are turned over to the U.S. Treasury, ensuring that there is no monetary gain to the FEC for applying such penalties. By implementing such a structure, there can be no calls of falsely using the fine program as a way for the agency to line its own coffers, thereby increasing confidence in the FEC's enforcement actions.

Without this bill, as I mentioned earlier, this successful program is scheduled to end on December 31, 2008. I am pleased to be able to join with my colleague in the House Administration Committee, Chairman BRADY, as a cosponsor of this bipartisan measure. I

urge my colleagues to join us in supporting H.R. 6296 so that we may continue to monitor the success of this important program for the next 5 years.

Mr. Speaker, I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, I just will simply say it's a good bill. Let's support it. Let's vote for it.

With that, Mr. Speaker, I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I concur this bill is a sensible one. It's bipartisan. It focuses the commission on the things that are important and complicated, and I urge all Members to support its passage.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the bill, H.R. 6296.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ESTABLISHING PROGRAM TO MAKE GRANTS REGARDING BACKUP PAPER BALLOTS

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5803) to direct the Election Assistance Commission to establish a program to make grants to participating States and units of local government which will administer the regularly scheduled general election for Federal office held in November 2008 for carrying out a program to make backup paper ballots available in the case of the failure of a voting system or voting equipment in the election or some other emergency situation, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5803

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. GRANTS TO STATES AND UNITS OF LOCAL GOVERNMENT FOR MAKING BACKUP PAPER BALLOTS AVAILABLE IN CASE OF VOTING SYSTEM OR EQUIPMENT FAILURE OR OTHER EMERGENCY SITUATION.

(a) GRANTS BY ELECTION ASSISTANCE COMMISSION.—The Election Assistance Commission (hereafter referred to as the ''Commission'') shall establish a program under which the Commission shall make a grant to each participating State and each participating unit of local government for carrying out a program to make backup paper ballots available in the case of the failure of a voting system or voting equipment or some other emergency situation in the administration of the regularly scheduled general election for Federal office held in November 2008.

(b) REQUIREMENTS FOR ELIGIBILITY.—

(1) APPLICATION.—A State or unit of local government is eligible to participate in the program established by the Commission under this Act if the State or unit of local government submits an application to the Commission at such time and in such manner as the Commission shall require, and includes in the application—

(A) a certification that the State or unit of local government has established a program that meets the requirements of paragraph (2) to make backup paper ballots available in the case of the failure of a voting system or voting equipment or some other emergency situation;

(B) a statement of the reasonable costs the State or unit of local government expects to incur in carrying out its program;

(C) a certification that, not later than 60 days after the date of the election, the State or unit of local government will provide the Commission with a statement of the actual costs incurred in carrying out its program;

(D) a certification that the State or unit of local government will repay the Commission any amount by which the payment made under this Act exceeds the actual costs incurred in carrying out its program; and

(E) such other information and certifications as the Commission may require.

(2) PROGRAM REQUIREMENTS.—The requirements of this paragraph for a program to make backup paper ballots available in the case of the failure of a voting system or voting equipment or some other emergency situation are as follows:

(A) In the event that the voting equipment at a polling place malfunctions and cannot be used to cast ballots on the date of the election or some other emergency situation exists which prevents the use of such equipment to cast ballots on that date, any individual who is waiting at the polling place on that date to cast a ballot in the election and who would be delayed due to such malfunction or other emergency situation shall be notified by the appropriate election official of the individual's right to use a backup paper ballot, and shall be provided with a backup paper ballot for the election, the supplies necessary to mark the ballot, and instructions on how to mark the ballot to prevent overvotes.

(B) Any backup paper ballot which is cast by an individual pursuant to the program of a State or unit of local government shall be counted as a regular ballot cast in the election and tabulated on the date of the election, and shall not be treated (for eligibility purposes) as a provisional ballot under section 302(a) of the Help America Vote Act of 2002, unless the individual casting the ballot would have otherwise been required to cast a provisional ballot if the voting equipment at the polling place had not malfunctioned or an emergency situation had not existed which prevented the use of such equipment to cast ballots.

(C) The program of a State or unit of local government is carried out in accordance with standards established by the State or unit of local government which include protocols for delivering and supplying backup paper ballots to polling places and for notifying individuals of the right to use the backup paper ballots.

(c) AMOUNT OF GRANT.—The amount of a grant made to a State or unit of local government under the program established by the Commission under this Act shall be equal to the amount of the reasonable costs the State or unit of local government expects to incur in carrying out its program, as provided in the application under subsection (b)(1)(B).

SEC. 2. STATE DEFINED.

In this Act, the term ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, and the United States Virgin Islands.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for grants under the program established by the Commission under this Act $75,000,000. Any amount appropriated pursuant to the authority of this section shall remain available without fiscal year limitation until expended.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from California (Mr. MCCARTHY) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous matter in the RECORD on H.R. 5803.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

I introduced H.R. 5803 at the request of election advocates and elected officials as a simple solution to deal with some of the problems jurisdictions may face this election day.

The bill provides reimbursements through grants to jurisdictions that choose to provide backup paper ballots in the event of voting machine failure or some other emergency situation for this November's election. The language in the legislation has been crafted, at the request of State and local governments, to allow them to decide what constitutes an emergency situation. That could mean anything from machine failure to long lines to problems with polling place staffing. It is fully up to the jurisdiction to determine what justifies the use of backup paper ballots and how to distribute them.

As mentioned, this is 100 percent optional. If States already use paper, including electronic machines with a voter verifiable paper audit trail, it's unlikely they would apply for a grant.

Of the 14 States that use electronic voting machines without paper trails, only 5 have no paper requirements at all and 9 States and the District of Columbia only use these machines in some jurisdictions. All this legislation provides is an additional method of instilling voter confidence. The grants provided in this bill allow jurisdictions to have a contingency plan, backup paper ballots, in case there are mistakes by poll workers or another cause and to determine when and how to implement that plan. Another provision included in the legislation allows the jurisdiction to determine when and how the backup paper ballots are distributed to voters.

The bill has been drafted in full cooperation with and is supported by the National Council of State Legislators, the National Association of County Officials, and the National Association of

Secretaries of State. All those organizations have submitted letters of support, as has Ohio Secretary of State Brunner, who calls it ''meaningful and respectful of State authority in election administration matters.''

In addition to the support of State and local governments, the bill is supported by election integrity groups, including People for the American Way, the Brennan Center, the Lawyers Committee For Civil Rights Under the Law, Common Cause, Verified Vote, Counted as Cast, and just today the NAACP Legal Defense Education Fund. Additional input was provided by disability rights groups who have told us that the bill has no adverse impact on their community and that they approve the language.

As we have seen, broad support for election-related legislation is not easy to accomplish. Backup paper ballots are a unifying factor between election officials and election advocates. It's 100 percent optional, and the responsibility and mechanisms for implementation is left to the State and local officials. The bill is a measured and proactive step towards improving the system of election administration for this November.

Voter turnout in the 2008 presidential primaries was at 28 percent of the country's estimated eligible voters. That's a record one in four eligible voters, actually slightly more. The turnout rate has not been that high since 1972, when the voting age was lowered to 18. Given this record primary turnout, providing State and local jurisdictions the option to have backup paper ballots could mitigate any challenges they may face on Election Day in November. This bill helps ensure election integrity and national electoral confidence and respects State and local jurisdictions' responsibility to administer elections.

I would also note that given the fiscal situation of most States and most counties, providing some assistance in this paper ballot measure is extremely important. I know, for example, in my own State of California there is a tremendous multibillion-dollar budget deficit that is mimicked in counties throughout the State. We have received a report from CRS that outlines various things that could concern us, including long lines in jurisdictions that have DREs. The paper ballot backup measure could help mitigate against that problem.

And, finally, I would note that the cost of this measure, this authorization, is really the price we pay every day for an afternoon in Iraq. Surely we can spend the equivalent of an afternoon in Iraq to preserve, protect, and defend our own electoral system in one of the most important elections our Nation will see this November.

With that, I would urge the passage of the bill.

BRENNAN CENTER FOR JUSTICE,
New York, NY, April 30, 2008.

Re Support for H.R. 5803, the ''Back Up Paper Ballot Bill''.

Representative ZOE LOFGREN,
Chair, Subcommittee on Elections, Committee on House Administration, House of Representatives, Washington, DC.

DEAR REPRESENTATIVE LOFGREN: Thank you for your leadership and commitment to improving the security, reliability, and accessibility of our voting systems. In an election year that has garnered unprecedented voter interest, it is particularly important to have good policies and procedures in place in advance of the November elections.

For this reason, we strongly support H.R. 5803, the Back Up Paper Ballot Bill. News reports of machine problems during states' recent presidential primary elections provide a preview of potentially widespread machine failure and disenfranchisement in November. H.R. 5803 would reimburse jurisdictions for costs associated with providing voters emergency paper ballots in the event of machine breakdowns.

In elections past, machine failures have caused long lines at the polls and disenfranchised untold numbers of voters. Encouraging the use of emergency paper ballots will help ensure that every voter may have her vote counted and make it much less likely that voters will be forced to wait on long lines or turned away from the polls because of machine malfunction—these are particularly important considerations for November's elections, when turnout is expected to be high.

Sincerely,

LAWRENCE NORDEN,
Counsel.

NATIONAL ASSOCIATION OF COUNTIES,
Washington, DC, May 6, 2008.

Re H.R. 5803.

Hon. ZOE LOFGREN,
Chairwoman, House Subcommittee on Elections, Longworth House Office Building, Washington, DC.

DEAR REPRESENTATIVE LOFGREN: On behalf of the National Association of Counties I write in support of H.R. 5803. We understand the legislation does not mandate but instead provides a voluntary opt-in grant program for states and counties that wish to provide for emergency paper ballots in the November, 2008 presidential election.

NACo appreciates the voluntary nature of this legislation. It is important that states and counties have the flexibility of a voluntary program to determine if what has been proposed federally will actually work at the state and local level. The Help America Vote Act created a relationship between states and localities which needs to be maintained and fully funded.

We understand that the bill provides that states certify to the Election Assistance Commission (EAC) any reasonable costs they expect to incur by participating in the emergency ballot grant program. We ask that report language clarify that the EAC may not unilaterally reject a state/county-certified reasonable cost.

NACo thanks you for your leadership in introducing this legislation and appreciates the opportunity to work with you and your staff to craft a reasonable bill. Please direct any questions or comments to our Legislative Director, Edwin Rosado (202) 942–4271, *erosado@naco.org*. Thank you for your support of America's counties.

Sincerely,

ERIC COLEMAN,
President.

NATIONAL CONFERENCE OF STATE LEGISLATURES,
Denver, CO, April 28, 2008.

Re H.R. 5803.

Hon. ZOE LOFGREN,
Chairwoman, House Subcommittee on Elections, Longworth House Office Building, Washington, DC.

DEAR REPRESENTATIVE LOFGREN: On behalf of the National Conference of State Legislatures (NCSL) I write in support of H.R. 5803, legislation that would provide a voluntary opt-in grant program for states that wish to provide for emergency paper ballots in the November, 2008 presidential election. NCSL greatly appreciates your and the Subcommittee's willingness to work with state officials on this legislation that is meaningful and respectful of state authority in election administration matters.

NCSL further appreciates the voluntary nature of this legislation. It is important to states that they have the flexibility of a voluntary program to determine if what has been proposed federally will actually work at the state level. That being said, NCSL has two questions that I hope will be answered during the markup of this bill. First, because the bill provides for participation by both localities and states, is there a mechanism in the bill to provide that localities that decide to apply for funding notify their state of their intentions? The Help America Vote Act created a relationship between states and localities which needs to be maintained. NCSL asks that report language or an amendment be made that requires localities to notify their state if they are going to apply. Second, the bill provides that states certify to the Election Assistance Commission (EAC) any reasonable costs they expect to incur by participating in the emergency ballot grant program. Are these costs in any way reviewable by the EAC? NCSL would ask that report language clarify that the EAC may not unilaterally reject a state-certified reasonable cost.

Again, NCSL thanks you for your leadership in introducing this legislation and appreciates the opportunity to work with you and your staff to craft a reasonable bill. Please direct any questions or comments to NCSL staff Susan Parnas Frederick (202) 624–3566, *susan.frederick@ncsl.org*. Thank you.

Sincerely,

DONNA STONE,
State Representative, Delaware, President, NCSL.

LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW,
Washington, DC, April 29, 2008.

Hon. ZOE LOFGREN,
Chair, Subcommittee on Elections, Cannon House Office Building, Washington, DC.

DEAR REPRESENTATIVE LOFGREN: As the legal leader of Election Protection, the nation's largest non-partisan voter protection coalition, I write to thank you for introducing critical legislation to provide voters with backup paper ballots in the event that election machines fail. The bill is a measured, proactive step towards improving the system of election administration before this year's critical federal election.

Election Protection is a year round, comprehensive voter protection effort providing support to coalition partners and voters alike in their efforts to cast a meaningful ballot. In addition to preparing for Election Day activities, the Lawyers' Committee works with local and state election officials, as well as in the halls of Congress, to facilitate election reform. In its role as the legal leader of the coalition, the Lawyers' Committee will recruit, train and deploy over

10,000 attorneys and law students to participate in Election Protection efforts. Law firms host command centers on Election Day, and attorneys and other trained volunteers answer hotline calls from voters. The Lawyers' Committee creates, revises, and distributes legal manuals with current election law in all target states and coordinates comprehensive election administration activities conducted by Election Protection Legal Committees (EPLC), the coalition of local volunteers working with us throughout the country. When necessary, litigation may occur.

In addition to helping our coalition partners and voters, since 2004, Election Protection has developed the most comprehensive picture of election administration from the perspective of the American voter. That experience has shown first hand scores of voters turned away because election machinery broke down without an adequate safeguard. Likewise, in places where there are procedures to administer emergency paper ballots in the wake of a machine failure or other emergency situation, poll workers had not been adequately trained to distribute the ballots to people waiting to cast a vote.

As detailed in our report ''Election Protection 2008: Looking Ahead to November,'' we have seen these problems in Maryland, New York & Texas. The Potomac Primaries, held on February 12, 2008, provided examples of why this is much needed. In Maryland near record turnout swamped poll workers and precincts throughout the state. The Election Protection hotline, 1–866–OURVOTE, which is administered by the Lawyers' Committee, received numerous reports of voting machines breaking down. Making the problem worse, many poll workers were not properly trained to hand-out emergency ballots, causing voters to leave without casting a ballot.

The Lawyers' Committee strongly supports Rep. Lofgren's initiative to direct the Election Assistance Commission to make grants available to states and local governments that implement a program to make backup paper ballots available in the case of the failure of a machine voting system or other emergency situation.

The bill calls for poll workers to provide paper ballots to any individual who is waiting at the polling place on that date to cast a ballot in the election and who would be delayed due to a machine malfunction or other emergency situation.

These ballots will be treated as regular ballots in lieu of the provisional status afforded to some paper ballots cast in accordance with federal law via the Help America Vote Act.

Machine breakdowns, long lines and a shortage of poll workers have hampered effective election administration throughout the country. Rep. Lofgren's bill provides a proactive solution to an anticipated problem at the polls on November 4, 2008.

The Lawyers' Committee for Civil Rights Under Law strongly encourages the passage of this bill. It is a proactive step in improving the administration of elections across the country.

Sincerely,

JONAH H GOLDMAN,
Director, National Campaign for Fair Elections, A Project of the Voting Rights Section of the Lawyers' Committee for Civil Rights Under Law.

Mr. Speaker, I reserve the balance of my time.

Mr. MCCARTHY of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I reluctantly rise in opposition to H.R. 5803, which unfortunately creates a system of IOUs for States with no guarantee of being paid back with Federal money.

Notwithstanding my concerns about even the necessity of this bill and the majority's desire to federalize traditionally local responsibility of administering elections, as outlined in the Constitution, it's difficult to understand how we are going to pay States back this year for promises we are making in this bill when Democrat congressional leaders have indicated that they will not complete work on appropriation bills this year. A leader on the House Appropriations Committee was quoted as describing the appropriations process as ''dead'' and later clarified the chances of appropriations this year are ''slight.''

Additionally, the majority leader in the other body was recently described in an article called ''No Lame Duck Session'' as wanting ''to punt most of the 12 annual appropriation bills to the 111th Congress.'' He said, ''I would hope that before we would leave here this year, we would do a continuing resolution . . . ''

So the question I have is where are we going to get this money to pay back the States for a grant program in this bill? Are we just demonstrating once again that Washington is broken by wasting more time when we could focus on finding solutions to our Nation's pressing problems, like the energy crisis?

Prioritizing concerns continues to be a problem that plagues Congress. Today we are debating a bill asking State and local election jurisdictions to do something that many already do and to pay for something that many already pay for. According to a recent survey of elected officials, if we are trying to improve election administration for the November, 2008, election, why not focus on a problem that strikes at the heart of our democracy, making sure that the votes of our brave men and women protecting our country abroad are counted? I encourage my colleagues to focus on efforts that will provide the greatest impact, including the Military Voting Protection Act, also called the MVP Act, which has 42 cosponsors. The MVP Act helps ensure that military personnel are not left out of the election process while serving our country overseas by improving delivery methods so the votes are counted. I look forward to working with my colleagues in the House Administration Committee towards addressing these and other issues internal to the strength of our Nation's elections.

Mr. Speaker, I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I would just note before recognizing Representative GONZALEZ that this is an authorization measure but there is money that has already been appropriated and allocated to States under HAVA that if we pass this would then become available for the backup paper ballots.

Mr. Speaker, I would now recognize a member of the committee, a former judge and valued colleague, Congressman CHARLES GONZALEZ, for 2 minutes.

Mr. GONZALEZ. I thank my colleague for yielding and giving me this time and commend her for her efforts.

Mr. Speaker, I rise in strong support of H.R. 5803.

I think we saw the greatest participation ever seen in our primaries. I know that in Texas we had over 4 million voters in the March 4 primary.

□ 1715

On November 4 it's predicted that we will have record turnouts. And the people who will be coming on November 4 will be voting not only for President but in dozens of races for Senator, Representative and State positions. We should rejoice in the civic involvement, and we should ensure that things run as smoothly as possible. With H.R. 5803 the Federal Government would fulfill our role by supporting the States, the counties and the municipalities who run our elections, the hardworking men and women who volunteer to ensure that democracy not only survives but can continue to flourish in this country.

We created the Election Assistance Commission in 2002 for this very purpose. By providing grants to the election officials who require this assistance, H.R. 5803 will ensure that no citizen is turned away because his voting machine has broken down. By supporting these backup paper ballots, we are supporting the right of every citizen to vote and to have his or her vote counted. We can help to ensure that no citizen is asked to choose between voting and getting to work on time. With H.R. 5803, we can say we accomplished that goal, that no citizen should be forced to choose between voting or feeding their children.

It is right and proper, too, that H.R. 5803 empowers the State and local officials rather than impeding them. No State is required to participate, but every State can do so if they so choose. We cannot predict every problem that may arise, but we can be sure that problems there will be. By putting money into the hands of the officials on the scene, we give the State and local governments the ability to react to problems as they arise. We empower them to provide the dependable low-tech paper ballots that are needed, that we know will work and that everyone can trust. That is why H.R. 5803 has the support of State officials and voting rights groups alike throughout this country. And it is why I support it and why I hope that we will have the support of every Member of this House.

Mr. MCCARTHY of California. Mr. Speaker, I yield 5 minutes to the dean of the Ohio delegation, Mr. REGULA.

(Mr. REGULA asked and was given permission to revise and extend his remarks.)

Mr. REGULA. Mr. Speaker, and my colleagues, I rise in opposition to H.R. 5803.

Historically, the administration of elections is a State and local responsibility. This includes providing for a backup method of voting if a piece of equipment fails or in the case of an emergency. This bill proposes to use Federal taxpayer dollars to fund an activity that State and local election officials are already performing. As stated in the minority views on this bill, ''H.R. 5803 is an unnecessary and costly solution to a problem that doesn't exist.''

The elections are only a few months away, and encouraging jurisdictions to change their election procedures now, after the primaries, could lead to confusion on Election Day.

In addition, the administration strongly opposes this bill since this is over $1 billion of funding that has already been appropriated that is currently available to the States to prepare for and conduct the 2008 elections.

Finally, even if this authorizing bill were enacted into law, no appropriations will be provided to fund it. We're approaching the August recess, and no fiscal year 2009 appropriation bills have cleared either body. According to media reports, only the Defense and Military Construction bills have even a chance of being enacted before the transition to the new administration. This means that there will be no financial services and general government appropriations bills to fund this program.

Why are we debating a bill to authorize new spending for the November election if the appropriations bill that would fund this activity won't be enacted until after the election? New legislation and additional Federal election funding are not warranted at this time.

I urge my colleagues to vote ''no'' on this piece of legislation.

Ms. ZOE LOFGREN of California. Mr. Speaker, before yielding to Mr. ELLISON, I would like to include in the RECORD a letter from the Secretary of State of Ohio urging support of the bill.

COLUMBUS, OHIO,
April 29, 2008.

Re Letter of support for H.R. 5803.

Hon. ZOE LOFGREN,
Cannon House Office Building,
Washington, DC.

DEAR CONGRESSWOMAN LOFGREN: I write to extend my support for H.R. 5803, which would create a grant program for states to print and utilize backup paper ballots for the November 2008 federal elections. In Ohio, we thoroughly tested the reliability and security of direct recording electronic (DRE) voting machines and found them susceptible to performance problems and security lapses. Until we can obtain funding to replace DRE voting systems in the 53 counties in Ohio that utilize DREs as their primary voting system., we have found that backup paper ballots: Ensure that voters have the option to vote a paper ballot, Alleviate congestion due to long lines, and Serve as emergency ballots in the case of machine or power failure.

Ohio utilized backup paper ballots during the March 4, 2008 primary election. In at least two specific instances, they proved to be vital when machines could not be used because they were programmed incorrectly and when sustained power outages exhausted the life of batteries in DRE voting machines. We plan to utilize backup paper ballots again in November with even greater specifics in their implementation and use. In short, we believe that in Ohio, backup paper ballots offer a transitional solution to a wholesale change of voting systems and provide a means to better ensure election integrity this November.

Recently, I worked with Congressman Rush Holt on H.R. 5036, which included backup paper ballot provisions similar to those found in H.R. 5803. I supported his efforts concerning reimbursements to the states for backup paper ballots. Likewise, I support your advancement of H.R. 5803's grant program for backup paper ballots and offer any assistance I can provide toward passage of this worthwhile measure.

In December 2007, my office released what is known as the ''EVEREST Report,'' a massive voting machine study of the three voting systems used in Ohio: Premiere (formerly Diebold), ES&S, and Hart Intercivic. The EVEREST Report contained scientific and industrial findings that Ohio's voting systems (also used throughout the country), specifically DRE voting systems, lack basic security safeguards required and provided in other applications throughout the computer industry, are prone to deterioration in performance and software operation, and need reengineering and improved procedures for operation. In response, I issued a directive (Directive 2008–01) to all boards of elections on January 2, 2008, requiring all counties utilizing DRE voting machines as their primary system of voting to print backup paper ballots in the amount of at least 10% of the number of voters who voted in a similar, previous election.

The directive permitted any voter who preferred a paper ballot to vote by paper ballot and for such paper ballots to be counted on election night as part of the unofficial count. Until Ohio has secured funding to move its counties utilizing DRE voting technology to optical scan paper ballot technology, backup paper ballots provide needed security and reliability to ensure that disenfranchisement does not occur and to provide for greater integrity in post-election audit procedures.

My office has ordered our 53 county boards of elections that utilize DREs as their primary voting system to provide the Ohio Secretary of State's office with the costs of impLementing the backup paper ballot directive, and once we have obtained these numbers, I will be happy to share them with you. I can tell you, initially, the costs for even the largest counties were in the low 5 figures, and for. most, they were in the low 4 figures. From initial figures provided, it appears that your proposal would be a cost effective means to ensure election confidence, especially since the November 2008 election will be the first presidential election where DRE use will be widespread.

I appreciate the opportunity to communicate my support for H.R 5803. Restoring and ensuring confidence in Ohio elections is an essential goal of my administration. Our state has made great strides in this respect, and we will continue to work toward this end, especially for November's election, when Ohio again is likely to be a pivotal state in the presidential contest. H.R 5803 would provide Ohio, along with many other states, a simple but important tool to ensure election integrity and increase national electoral confidence. Please feel free to contact me if I can provide you with additional information or support.

Sincerely,

JENNIFER BRUNNER,
Ohio Secretary of State.

Ms. ZOE LOFGREN of California. I now would yield to the gentleman from Minnesota (Mr. ELLISON) whose Secretary of State has been a witness in our committee and who has been a leader in election law reforms, 2 minutes.

Mr. ELLISON. Mr. Speaker, let me thank the chairlady for this excellent piece of legislation which I urge all of our colleagues to support.

Imagine, Mr. Speaker, a young person voting for the first time, freshly 18 years old getting a chance to vote, waiting in line and finding out that there are no more ballots because of one reason or another. Or imagine the person is a senior citizen who has plowed so much into our country, forged a way for us in this society, but yet they stand in line, no backup ballots, they can't vote because the machine broke down. Or what about a veteran, Mr. Speaker, a veteran who has served in Iraq or Afghanistan who stands in line trying to cast a ballot to select a leader of their choice in their community and the machine breaks down, no ballots, and they're not able to cast a vote.

This is a very commonsense, reasonable and responsible piece of legislation that goes to the very heart of what we are here to do in this Capitol today as the United States Congress which is to make sure that democracy marches forward. This is prudent. This is wise. This is smart. This is a dollar very, very well spent because it ensures that our country continue to reflect the rich diversity in this body so people can vote and pick their leaders.

Mr. Speaker, I can't imagine why anyone wouldn't want to support this excellent legislation.

I urge a ''yes'' vote.

Mr. MCCARTHY of California. Mr. Speaker, I yield 5 minutes to the former Secretary of State of Michigan and my good friend, Mrs. CANDICE MILLER.

Mrs. MILLER of Michigan. I appreciate the gentleman yielding the time.

Mr. Speaker, as was mentioned, actually for 8 years I had the distinct honor and privilege really to serve as Michigan's Secretary of State. And in that role, a principal responsibility of mine was to serve as the State's chief elections officer. And I was blessed with an absolutely outstanding professional staff that helped to ensure that not only were our elections open, free and fair, but also that everyone in Michigan who was eligible and properly registered to vote had an opportunity to vote and that every one of those votes was counted.

After the 2000 election, naturally, the Ford-Carter Commission on National Election Reform cited Michigan's Qualified Voter File, a file that we built in Michigan, as a national model,

a attribute to Michigan's well-run elections. That report also cited the need for each State to establish a uniform voting system, a process that we had already been studying in Michigan. We were prepared with a uniform voting plan as soon as this Congress passed the HAVA Act, the Help America Vote Act.

And as a result, today Michigan has an optical scan uniform voting system, and we have experienced little or no problems with that system. And this was due to careful, long-term planning and professional work by our State elections bureau working in partnership with local election clerks.

And, Mr. Speaker, the bill that we are considering today will provide Federal grants for States to do contingency planning for this year's election. Well, here is our Michigan contingency plan, a plan that I believe is also in place right now by the huge overwhelming majority of the States in our Nation. We require that optical scan ballots be printed for 100 percent of all registered voters. If an optical scan precinct tabulator malfunctions on Election Day, the clerks allow voters to continue, and then they have voters deposit their ballots in the auxiliary bin of the ballot box which they can count later. Plan complete, at no cost to the Federal taxpayers. And as I understand it, this bill actually has a cost associated with it of I believe $75 million.

The proponents of this bill note that they have had some support of the National Council of State Legislatures as well as the National Association of County Officials. And they cite that as good reasons to support this legislation. Well, I would respectfully point out that these officials have no responsibility in the actual administering of elections. And I would note that the National Association of Secretaries of State, of which I was proud to be a member, and now I'm an honorary member, and also the NASS–ED, which is the association of State elections directors, neither of those two national election associations are up here on Capitol Hill advocating for this legislation.

And these are the two groups, as I say, which are totally made up of those who are responsible for the administration of elections in our Nation, and those who also do the contingency planning. If those responsible, Mr. Speaker, for planning and administering elections are not asking for this bill, I would ask why is it being offered?

I would urge my colleagues to defeat this needless bill and allow our elections officials across our Nation to continue their diligent work in preparing for this fall's election.

Ms. ZOE LOFGREN of California. Mr. Speaker, before recognizing Mr. LANGEVIN, I would note that the Secretary of State Associations helped us draft this bill, but they were not going to have a meeting to actually take a vote on support in time for today. But they did assist in the drafting.

I would now recognize our colleague from Rhode Island, Congressman LANGEVIN, who is a former Secretary of State himself, for 2 minutes on the bill.

(Mr. LANGEVIN asked and was given permission to revise and extend his remarks.)

Mr. LANGEVIN. I thank the gentlelady for yielding.

Mr. Speaker, I rise in strong support of H.R. 5803, legislation that would establish a voluntary program so election officials can offer voters a backup paper ballot in the event of an emergency. Now when I served as the Secretary of State for the State of Rhode Island, I reformed our State's voting machines and election processes to make them more accurate and accountable. From that experience, I know that ensuring confidence in our voting system is the cornerstone of our democracy.

As the 2008 election promises to bring out record numbers of voters to the polls, H.R. 5803 will boost confidence among the electorate by ensuring that voters are not turned away from the polling places, do not wait in long lines and do not incorrectly receive provisional ballots because of malfunctioning voting systems. H.R. 5803 authorizes $75 million to establish a voluntary, and I repeat voluntary, opt-in grant programs for State and local governments that wish to provide backup paper ballots in the coming November elections.

Although many States already require emergency paper ballots, the 2008 Presidential primaries revealed that many jurisdictions do not have the resources to provide backup ballots. For example, during Pennsylvania's 2008 Presidential primary, a Philadelphia precinct experienced failures with both of its electronic voting machines causing voters to wait in long lines or even leave without voting at all because of a lack of emergency paper ballots. Now we can't allow that to happen. H.R. 5803 provides the necessary resources for States to prepare for potential problems so that voters are not turned away from the polls because the voting system malfunctions.

The National Conference of State Legislatures and the National Association of Counties support H.R. 5803 because it is meaningful and respectful of State authority in election administration matters. H.R. 5803 has been crafted to allow jurisdictions to determine when and how the backup ballots are distributed. The legislation is not a mandate, and it's purely a voluntary option for jurisdictions to consider.

In closing, I would like to thank the Elections Subcommittee Chairwoman LOFGREN for her leadership in bringing this bill to the floor today in the first place. And I would also like to thank my friend from New Jersey (Mr. HOLT) who has raised awareness about the importance of voting machine accuracy and accountability. I have been proud to work with him on a number of efforts, and I look forward to our continued cooperation.

I urge all of my colleagues to support H.R. 5803 to ensure that we maintain public confidence in our voting procedures as we approach this coming election season.

Mr. MCCARTHY of California. Mr. Speaker, if I may inquire about how many more speakers are on the other side.

Ms. ZOE LOFGREN of California. Several.

Mr. MCCARTHY of California. I will continue to reserve my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, may I inquire how much time remains on either side.

The SPEAKER pro tempore. The gentlewoman from California has 9 minutes. The gentleman from California has 12 minutes.

Ms. ZOE LOFGREN of California. Mr. Speaker, at this point, I would like to recognize a valued member of our committee, Congresswoman SUSAN DAVIS, for 2 minutes.

Mrs. DAVIS of California. Mr. Speaker, I rise in support of Ms. ZOE LOFGREN's bill, H.R. 5803. In our State of California, voting machines were decertified after a careful scientific review showed them to be prone to problems. Now we use paper. We don't need backup ballots. But many jurisdictions still use the voting machines that they purchased. And it becomes obvious that even under the management of the most diligent election officials, glitches with voting systems are rare, but they are inevitable.

The question is not whether there will be some technical problems on Election Day, but how will we respond? How bad will they be? Asking voters to come back is not a solution. We must have a plan B, a plan B ready on the spot.

That is what this bill gives us. Most of the time, as we know, emergency ballots will go unused. But we cannot afford to be without them. Opponents would argue that it's wasteful to invest in something we hope never to use. Well would we ever think of not investing in life rafts on ships, air bags on cars, or fire escapes on buildings? Emergency paper ballots are the air bag of our democracy. We can't afford not to have them in place when the vitality of election is on the line. And we know, Mr. Speaker, that in November, that will be the case. The election could be very close. And the country needs to come together in the end.

If people believe that somehow they didn't have the opportunity to vote, then they will perceive that this was not a fair election. After a spirited election, people will come together, but only if the American faith in our democracy has been borne out. This is one way to help. And I believe that we must go forward and look at this. Only the States that need it will apply. And I would expect that they would be very prudent in the way they request that

kind of funding through the grant program.

□ 1730

Mr. MCCARTHY of California. Mr. Speaker, I continue to reserve.

Ms. ZOE LOFGREN of California. Mr. Speaker, at this point I would like to recognize for 2 minutes the gentleman from New Jersey (Mr. HOLT) who has worked so diligently on election matters in this Congress.

Mr. HOLT. Mr. Speaker, I rise in support of H.R. 5803, a bill that would reimburse States and localities to make paper backup ballots available for this November 2008 election.

I compliment Representative LOFGREN for introducing this measure which would allow more Americans to vote than might otherwise be able if their only option was failed electronic voting. The bill would also allow more Americans to vote when facing long lines, something that has been documented widely.

Passing comprehensive election reform to help ensure the accuracy, integrity, and security of our electronic voting systems and other voting systems has long been a priority for me. At the beginning of the 110th Congress, I introduced legislation to establish national standards of verifiable elections. That bill has not received a floor vote despite support from a bipartisan majority of Members.

So in January of this year, many of us introduced simplified, optional legislation that would reimburse States that convert to paper ballot voting systems, offer backup paper ballots, and/or conduct random audits in this fall's election. Unfortunately, following opposition from the White House, the vote broke mostly on party lines and the bill was not passed.

After our opt-in legislation was not passed, I urged Congress to reconsider this issue, and so I am pleased that the House Committee on Administration has incorporated part of our legislation into the bill on the floor today. This is a useful step.

The ability to vote is the most important right as it is the right through which citizens secure all of our other rights. Yet public cynicism is rampant, and could cripple our democracy.

Increasing the availability of paper ballots, however, is only one of the steps that we must take to address the documented problems faced by voters and election officials.

I will continue to work with Ms. LOFGREN and others to ensure that Congress does all it can to protect the integrity and accuracy of our elections, and to give voters confidence in their system. Each election each year in recent years, cynicism has grown among voters. I hope my colleagues will join in the continuing effort to provide verifiable, reliable, confident voting.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, usually I am not on the floor speaking twice in one day, but two issues have come to the floor today that are of great importance to me. First was the Medicare veto override; and, secondly, voting.

Yesterday I had an opportunity to attend the NAACP national convention. Next year that organization will be 100 years old, and in the course of all of the work that the NAACP has done over the past 100 years, voting has clearly been at the forefront of all that they have done, and I am aware that the NAACP voter fund is supporting this legislation.

I come from the great State of Ohio, but voting in Ohio has not been great in many years. In fact, in 2004, I objected to the counting of the Ohio electoral votes because of some of the problems we faced in Ohio in 2004, and one of those was running out of ballots, a lack of sufficient machines available for people to vote, and young people in Kenyon College standing in line for 10 and 11 hours.

Our new Secretary of State, Jennifer Brunner, supports this legislation. And in fact in our primary in March of this year, we used paper ballots as backup. It is so very important that we don't disappoint any voter when they come to the ballot box because a machine is down or paper ballots are not available.

I want to applaud my colleague and applaud the work she is doing. The people of the United States of America are pleased and proud that we are standing up to ensure that everybody has the right to vote, that their vote is counted, and that vote is secure. I thank you very much for your leadership.

Mr. MCCARTHY of California. Mr. Speaker, I continue to reserve my time.

Ms. ZOE LOFGREN of California. The last speaker that we were expecting has not shown, so if the gentleman is prepared to close and yield back, I will do the same.

Mr. MCCARTHY of California. Mr. Speaker, I rise in opposition for a number of reasons. First and foremost, we are putting forward legislation that we will not even be able to fund. Appropriations said they will not meet, they will not pass, so we are telling States that this is an IOU.

Secondly, Mr. Speaker, over $3 billion in Federal grants have been made available to States in 2008 in previous years to assist with election systems and administration which can include the purchase of authorized backup paper ballots. Of this amount, over $1 billion remains unspent, but we are asking the Federal Government to spend more.

Mr. Speaker, we are talking about paper ballots. Survey after survey of Secretaries of States have shown that they have backup operations prepared for their States and their ballots. Even in our own committee, Mr. Speaker, you have pointed out time and time again that paper ballots are where mistakes are made when they are hand counted. Paper ballots are where things become manipulated. So, Mr. Speaker, I ask for a ''no'' vote.

I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I would urge that we approve this very modest measure. As has been noted by the White House in their statement today, there is $1 billion that has been appropriated and remains unspent by States to prepare and conduct the 2008 elections. Most of those funds are allocated to the purchase of DREs that have been so troublesome, and this authorization would allow for a very modest portion of a maximum of $75 million of that appropriated funds to be used for backup paper ballots.

In my own county of Santa Clara, we ran out of ballots this election year, and people were scrambling. That was before the massive budget cuts that the county is facing. And I will just say this. Having been on the board of supervisors for longer than I have been in the United States House of Representatives, I understand how tough it is to balance those budgets. At local government, there is no deficit spending. What you have got is what you can spend. So county boards of supervisors all over the country are trying to figure out how to run an election with local funds and also keep the county hospital open and also fund the sheriff's department and also keep the parks open and keep the streets paved.

I fear that backup paper ballots in November are not going to compete with some of the more pressing needs and so this bill is enormously important. We can pass it today and have a more orderly election so that no American is denied their right to vote. I urge Members to put partisanship aside, to support this very modest measure that is supported by election officials all over the United States.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the bill, H.R. 5803.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MCCARTHY of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

PROCEDURE FOR CONSIDERATION OF RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE IF OFFERED TODAY

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that if the gentleman from Ohio (Mr.

KUCINICH) offers a resolution as a question of the privileges of the House at any time on the legislative day of July 15, 2008—

(1) the previous question shall be considered as ordered thereon without intervening motion except one motion to refer and one motion to table (which shall have precedence in the order stated); and

(2) the Speaker may postpone further proceedings on such a vote on any such motion as though under clause 8(a)(1)(A) of rule XX.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5959, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2009

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110–759) on the resolution (H. Res. 1343) providing for consideration of the bill (H.R. 5959) to authorize appropriations for fiscal year 2009 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3999, NATIONAL HIGHWAY BRIDGE RECONSTRUCTION AND INSPECTION ACT OF 2008

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110–760) on the resolution (H. Res. 1344) providing for consideration of the bill (H.R. 3999) to amend title 23, United States Code, to improve the safety of Federal-aid highway bridges, to strengthen bridge inspection standards and processes, to increase investment in the reconstruction of structurally deficient bridges on the National Highway System, and for other purposes, which was referred to the House Calendar and ordered to be printed.

RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. KUCINICH. Mr. Speaker, I rise to a question of the privileges of the House and offer the resolution noticed on July 10.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 1345

AN ARTICLE OF IMPEACHMENT OF PRESIDENT GEORGE W. BUSH

Resolved, That President George W. Bush be impeached for high crimes and misdemeanors, and that the following Article of Impeachment be exhibited to the United States Senate:

An Article of Impeachment exhibited by the House of Representatives of the United States of America in the name of itself and the people of the United States of America, in maintenance and support of its impeachment against President George W. Bush for high crimes and misdemeanors.

ARTICLE ONE—DECEIVING CONGRESS WITH FABRICATED THREATS OF IRAQ WMDS TO FRAUDULENTLY OBTAIN SUPPORT FOR AN AUTHORIZATION OF THE USE OF MILITARY FORCE AGAINST IRAQ

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the Office of President of the United States, and to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under article II, section 3 of the Constitution ''to take care that the laws be faithfully executed,'' deceived Congress with fabricated threats of Iraq Weapons of Mass Destruction to fraudulently obtain support for an authorization for the use of force against Iraq and used that fraudulently obtained authorization, then acting in his capacity under article II, section 2 of the Constitution as Commander in Chief, to commit U.S. troops to combat in Iraq.

To gain congressional support for the passage of the Joint Resolution to Authorize the Use of United States Armed Forces Against Iraq, the President made the following material representations to the Congress in S.J. Res. 45:

1. That Iraq was ''continuing to possess and develop a significant chemical and biological weapons capability. . . .''

2. That Iraq was ''actively seeking a nuclear weapons capability. . . .''

3. That Iraq was ''continuing to threaten the national security interests of the United States and international peace and security.''

4. That Iraq has demonstrated a ''willingness to attack, the United States. . . .''

5. That ''members of al Qaeda, an organization bearing responsibility for attacks on the United States, its citizens and interests, including the attacks that occurred on September 11, 2001, are known to be in Iraq. . . .''

6. The ''attacks on the United States of September 11, 2001, underscored the gravity of the threat that Iraq will transfer weapons of mass destruction to international terrorist organizations. . . .''

7. That Iraq ''will either employ those weapons to launch a surprise attack against the United States or its Armed Forces or provide them to international terrorists who would do so. . . .''

8. That an ''extreme magnitude of harm that would result to the United States and its citizens from such an attack. . . .''

9. That the aforementioned threats ''justify action by the United States to defend itself. . . .''

10. The enactment clause of section 2 of S.J. Res. 45, the Authorization of the Use of the United States Armed Forces authorizes the President to ''defend the national security interests of the United States against the threat posed by Iraq. . . .''

Each consequential representation made by the President to the Congress in S.J. Res. 45 in subsequent iterations and the final version was unsupported by evidence which was in the control of the White House.

To wit:

1. Iraq was not ''continuing to possess and develop a significant chemical and biological weapons capability . . . ''

''A substantial amount of Iraq's chemical warfare agents, precursors, munitions and production equipment were destroyed between 1991 and 1998 as a result of Operation Desert Storm and United Nations Special Commission (UNSCOM) actions. There is no reliable information on whether Iraq is producing and stockpiling chemical weapons or whether Iraq has or will establish its chemical warfare agent production facilities.''

The source of this information is the Defense Intelligence Agency, a report called, ''Iraq—Key WMD Facilities—An Operational Support Study,'' September 2002.

''Statements by the President and Vice President prior to the October 2002 National Intelligence Estimate regarding Iraq's chemical weapons production capability and activities did not reflect the intelligence community's uncertainties as to whether such production was ongoing.''

The source of this information is the Senate Select Committee on Intelligence, a report entitled ''Report on Whether Public Statements Regarding Iraq By U.S. Government Officials Were Substantiated By Intelligence Information.'' June 5, 2008.

''In April and early May 2003, military forces found mobile trailers in Iraq. Although intelligence experts disputed the purpose of the trailers, administration officials repeatedly asserted that they were mobile biological weapons laboratories. In total, President Bush, Vice President CHENEY, Secretary Rumsfeld, Secretary Powell, and National Security Advisor Rice made 34 misleading statements about the trailers in 27 separate public appearances. Shortly after the mobile trailers were found, the Central Intelligence Agency and the Defense Intelligence Agency issued an unclassified white paper evaluating the trailers. The white paper was released without coordination with other members of the intelligence community, however. It was later disclosed that engineers from the Defense Intelligence Agency who examined the trailers concluded that they were most likely used to produce hydrogen for artillery weather balloons. A former senior intelligence official reported that 'only one of 15 intelligence analysts assembled from three agencies to discuss the issue in June endorsed the white paper conclusion.'''

The source of this information is the House Committee on Government Reform, minority staff, ''Iraq on the Record: Bush Administration's Public Statements about Chemical and Biological Weapons.'' March 16, 2004.

Former chief of CIA covert operations in Europe, Tyler Drumheller, has said that the CIA had credible sources discounting weapons of mass destruction claims, including the primary source of biological weapons claims, an informant who the Germans code-named ''Curveball'' whom the Germans had informed the Bush administration was a likely fabricator of information including that concerning the Niger yellowcake forgery. Two other former CIA officers confirmed Drumheller's account to Sidney Blumenthal who reported the story at Salon.com on September 6, 2007, which in fact is the media source of this information.

''In practical terms, with the destruction of the al Hakam facility, Iraq abandoned its ambition to obtain advanced biological weapons quickly. The Iraq Survey Group (ISG) found no direct evidence that Iraq, after 1996, had plans for a new biological weapons program or was conducting biological weapons-specific work for military purposes. Indeed, from the mid-1990s, despite evidence of continuing interest in nuclear and chemical weapons, there appears to be a complete absence of discussion or even interest in biological weapons at the Presidential level. In spite of exhaustive investigation,

the Iraq Survey Group found no evidence that Iraq possessed, or was developing, biological weapon agent production systems mounted on road vehicles or railway wagons. The Iraq Survey Group harbors severe doubts about the source's credibility in regards to the breakout program.'' That's a direct quote from the ''Comprehensive Report of the Special Advisor to the Director of Central Intelligence on Iraq's WMD,'' commonly known as the Duelfer report by Charles Duelfer.

''While a small number of old, abandoned chemical munitions have been discovered, the Iraq Survey Group judges that Iraq unilaterally destroyed its undeclared chemical weapons stockpile in 1991. There are no credible indications that Baghdad resumed production of chemical munitions thereafter, a policy the Iraq Survey Group attributes to Baghdad's desire to see sanctions lifted, or rendered ineffectual, or its fear of force against it should WMD be discovered.''

The source of this information, the ''Comprehensive Report of the Special Advisor to the Director of Central Intelligence on Iraq's WMD,'' Charles Duelfer.

2. Iraq was not ''actively seeking a nuclear weapons capability.''

The key finding of the Iraq Survey Group's report to the Director of Central Intelligence found that ''Iraq's ability to reconstitute a nuclear weapons program progressively decayed after that date. Saddam Husayn (sic) ended the nuclear program in 1991 following the Gulf War. Iraq Survey Group found no evidence to suggest concerted efforts to restart the program.''

The source of this information, the ''Comprehensive Report of the Special Advisor to the Director of Central Intelligence on Iraq's WMD,'' Charles Duelfer.

Claims that Iraq was purchasing uranium from Niger were not supported by the State Department's Bureau of Intelligence and Research in the National Intelligence Estimate of October 2002.

The CIA had warned the British Government not to claim Iraq was purchasing uranium from Niger prior to the British statement that was later cited by President Bush, this according to George Tenet of the Central Intelligence Agency on July 11, 2003.

Mohamed ElBaradei, the Director General of the International Atomic Energy Agency, in a ''Statement to the United Nations Security Council on The Status of Nuclear Inspections in Iraq: An Update'' on March 7, 2003, said as follows:

''One, there is no indication of resumed nuclear activities in those buildings that were identified through the use of satellite imagery as being reconstructed or newly erected since 1998, nor any indication of nuclear-related prohibited activities at any inspected sites. Second, there is no indication that Iraq has attempted to import uranium since 1990. Three, there is no indication that Iraq has attempted to import aluminum tubes for use in centrifuge enrichment. Moreover, even had Iraq pursued such a plan, it would have been—it would have encountered practical difficulties in manufacturing centrifuges out of the aluminum tubes in question. Fourthly, although we are still reviewing issues related to magnets and magnet production, there is no indication to date that Iraq imported magnets for use in a centrifuge enrichment program. As I stated above, the IAEA (International Atomic Energy Agency) will naturally continue to further scrutinize and investigate all of the above issues.''

3. Iraq was not ''continuing to threaten the national security interests of the United States.''

''Let me be clear: analysts differed on several important aspects of [Iraq's biological, chemical, and nuclear] programs and those debates were spelled out in the Estimate. They never said there was an 'imminent' threat.''

George Tenet, who was Director of the CIA, said this in Prepared Remarks for Delivery at Georgetown University on February 5, 2004.

''We have been able to keep weapons from going into Iraq. We have been able to keep the sanctions in place to the extent that items that might support weapons of mass destruction have had some controls on them. It's been quite a success for 10 years.'' The source of this statement, Colin Powell, Secretary of State, in an interview with Face the Nation, February 11, 2001.

On July 23, 2002, a communication from the Private Secretary to Prime Minister Tony Blair, ''Memo to British Ambassador David Manning'' reads as follows:

''British Secret Intelligence Service Chief Sir Richard Billing Dearlove reported on his recent talks in Washington. There was a perceptible shift in attitude. Military action was now seen as inevitable. Bush wanted to remove Saddam through military action, justified by the conjunction of terrorism and WMD. But the intelligence and facts were being fixed around the policy. The NSC had no patience with the U.N. route and no enthusiasm for publishing material on the Iraqi regime's record. There was little discussion in Washington of the aftermath after military action. The Foreign Secretary said he would discuss this with Colin Powell this week. It seemed clear that Bush had made up his mind to take military action, even if the timing was not yet decided. But the case was thin. Saddam Hussein was not threatening his neighbors, and his WMD capability was less than that of Libya, North Korea or Iran. We should work up a plan for an ultimatum to Saddam to allow back in the U.N. weapons inspectors. This would also help with the legal justification for the use of force.''

4. Iraq did not have the ''willingness to attack, the United States.''

''The fact of the matter is that both baskets, the U.N. basket and what we and other allies have been doing in the region, have succeeded in containing Saddam Hussein and his ambitions. His forces are about one-third their original size. They really don't possess the capability to attack their neighbors the way they did 10 years ago.'' The source of this quote, Colin Powell, Secretary of State, in a transcript of remarks made to German Foreign Minister Joschka Fischer in February 2001.

The October 2002 National Intelligence Estimate concluded that ''Baghdad for now appears to be drawing a line short of conducting terrorist attacks with conventional or chemical or biological weapons against the United States, fearing that exposure of Iraqi involvement would provide Washington a stronger case for making war.''

5. Iraq had no connection with the attacks of 9/11 or with al Qaeda's role in 9/11.

''The report of the Senate Select Committee on Intelligence documents significant instances in which the administration went beyond what the intelligence community knew or believed in making public claims, most notably on the false assertion that Iraq and al Qaeda had an operational partnership and joint involvement in carrying out the attacks of September 11.'' This is a quote from Senator John D. Rockefeller, IV, the chairman of the Senate Select Committee on Intelligence entitled ''Additional Views of Chairman John D. Rockefeller, IV'' on page 90.

Continuing from Senator Rockefeller:

''The President and his advisors undertook a relentless public campaign in the aftermath of the attacks to use the war against al Qaeda as a justification for overthrowing Saddam Hussein. Representing to the American people that the two had an operational partnership and posed a single, indistinguishable threat was fundamentally misleading and led the Nation to war on false premises.'' Senator Rockefeller.

Richard Clarke, a National Security Advisor, in a memo of September 18, 2001 titled ''Survey of Intelligence Information on Any Iraq Involvement in the September 11 Attacks'' found no ''compelling case'' that Iraq had either planned or perpetrated the attacks, and that there was no confirmed reporting on Saddam cooperating with bin Laden on unconventional weapons.

On September 17, 2003, President Bush said: ''No, we've got no evidence that Saddam Hussein was involved with September 11. What the Vice President said was is that he (Saddam) has been involved with al Qaeda.''

On June 16, 2004, a staff report from the 9/11 Commission stated: ''There have been reports that contacts between Iraq and al Qaeda also occurred after bin Laden had returned to Afghanistan in 1996, but they do not appear to have resulted in a collaborative relationship. Two senior bin Laden associates have adamantly denied that any ties existed between al Qaeda and Iraq. We have no credible evidence that Iraq and al Qaeda cooperated on attacks against the United States.''

''Intelligence provided by former Undersecretary of Defense Douglas J. Feith to buttress the White House case for invading Iraq included 'reporting of dubious quality or reliability' that supported the political views of senior administration officials rather than the conclusions of the intelligence community, this according to a report by the Pentagon Inspector General.

''Feith's office 'was predisposed to finding a significant relationship between Iraq and al Qaeda,' according to portions of the report released by Senator Carl Levin. The Inspector General described Feith's activities as 'an alternative intelligence assessment process.'" The source of this information is a report in the Washington Post dated February 9, 2007, page A–1, an article by Walter Pincus and Jeffrey Smith entitled ''Official's Key Report on Iraq is Faulted, 'Dubious' Intelligence Fueled Push for War.''

6. Iraq possessed no weapons of mass destruction to transfer to anyone.

Iraq possessed no weapons of mass destruction to transfer. Furthermore, available intelligence information found that the Iraq regime would probably only transfer weapons of mass destruction to terrorist organizations if under threat of attack by the United States.

According to information in the October 2002 National Intelligence Estimate (NIE) on Iraq that was available to the administration at the time that they were seeking congressional support for the authorization of use of force against Iraq, the Iraq regime would probably only transfer weapons to a terrorist organization if ''sufficiently desperate'' because it feared that ''an attack that threatened the survival of the regime were imminent or unavoidable.''

''The Iraqi Intelligence Service (IIS) probably has been directed to conduct clandestine attacks against the United States and Allied interests in the Middle East in the event the United States takes action against Iraq. The IIS probably would be the primary means by which Iraq would attempt to conduct any chemical and biological weapon attacks on the U.S. homeland, although we have no specific intelligence information that Saddam's regime has directed attacks against U.S. territory.''

7. Iraq had no weapons of mass destruction and therefore had no capability of launching

a surprise attack against the United States or its Armed Forces and no capability to provide them to international terrorists who would do so.

Iraq possessed no weapons of mass destruction to transfer. Furthermore, available intelligence information found that the Iraq regime would probably only transfer weapons of mass destruction to terrorist organizations if under severe threat of attack by the United States.

According to information in the October 2002 National Intelligence Estimate on Iraq that was available to the administration at the time they were seeking congressional support for the authorization of the use of force against Iraq, the Iraqi regime would probably only transfer weapons to a terrorist organization if ''sufficiently desperate'' because it feared that ''an attack that threatened the survival of the regime were imminent or unavoidable.'' That, again, from the October 2002 National Intelligence Estimate on Iraq.

''The Iraqi Intelligence Service probably has been directed to conduct clandestine attacks against U.S. and Allied interests in the Middle East in the event the United States takes action against Iraq. The Iraq Intelligence Service probably would be the primary means by which Iraq would attempt to conduct any chemical or biological weapons attacks on the U.S. homeland, although we have no specific intelligence information that Saddam's regime has directed attacks against U.S. territory.''

As reported in the Washington Post on March 1, 2003, in 1995, Saddam Hussein's son-in-law, Hussein Kamel, had informed U.S. and British intelligence officers that ''all weapons—biological, chemical, missile, nuclear—were destroyed.'' That from the Washington Post, March 1, 2003, page A15, an article entitled ''Iraqi Defector Claimed Arms Were Destroyed By 1995,'' by Colum Lynch.

The Defense Intelligence Agency, in a report called ''Iraq—Key WMD Facilities—An Operational Report Study'' in September 2002, said this:

''A substantial amount of Iraq's chemical warfare agents, precursors, munitions and production equipment were destroyed between 1991 and 1998 as a result of Operation Desert Storm and United Nations Special Commission (UNSCOM) actions. There is no reliable information on whether Iraq is producing and stockpiling chemical weapons or whether Iraq has or will establish its chemical warfare agent production facilities.''

8. There was not a real risk of an ''extreme magnitude of harm that would result to the United States and its citizens from such an attack'' because Iraq had no capability of attacking the United States.

Here's what Colin Powell said at the time: ''Containment has been a successful policy, and I think we should make sure that we continue it until such time as Saddam Hussein comes into compliance with the agreements he made at the end of the Gulf War.'' Speaking of Iraq, Secretary of State Powell said, ''Iraq is not threatening America.''

9. The aforementioned evidence did not ''justify the use of force by the United States to defend itself'' because Iraq did not have weapons of mass destruction, or have the intention or capability of using nonexistent WMDs against the United States.

10. Since there was no threat posed by Iraq to the United States, the enactment clause of the Senate Joint Resolution 45 was predicated on misstatements to Congress.

Congress relied on the information provided to it by the President of the United States. Congress provided the President with the authorization to use military force that he requested. As a consequence of the fraudulent representations made to Congress, the United States Armed Forces, under the direction of George Bush as Commander in Chief, pursuant to section 3 of the Authorization for the Use of Force which President Bush requested, invaded Iraq and occupies it to this day, at the cost of 4,116 lives of servicemen and -women, injuries to over 30,000 of our troops, the deaths of over 1 million innocent Iraqi civilians, the destruction of Iraq, and a long-term cost of over $3 trillion.

President Bush's misrepresentations to Congress to induce passage of a use of force resolution is subversive of the constitutional system of checks and balances, destructive of Congress' sole prerogative to declare war under article I, section 8 of the Constitution, and is therefore a High Crime. An even greater offense by the President of the United States occurs in his capacity as Commander in Chief, because he knowingly placed the men and women of the United States Armed Forces in harm's way, jeopardizing their lives and their families' future, for reasons that to this date have not been established in fact.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States and of those members of the Armed Forces who put their lives on the line pursuant to the falsehoods of the President. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

The SPEAKER pro tempore (Mrs. DAVIS of California). The resolution qualifies.

Under the previous order of the House of today, the previous question is ordered without intervening motion except to refer or to lay on the table, which have precedence in the order stated.

MOTION TO REFER

Mr. KUCINICH. Madam Speaker, I move that the House refer the resolution to the Committee on the Judiciary.

The SPEAKER pro tempore. The question is on the motion to refer.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. CONAWAY. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to refer will be followed 5-minute votes on motions to suspend the rules on H.R. 5803 and House Resolution 1090.

The vote was taken by electronic device, and there were—yeas 238, nays 180, not voting 16, as follows:

[Roll No. 492]

YEAS—238

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Cazayoux
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emanuel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—180

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bono Mack
Boozman
Boustany
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jordan

Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Pence
Peterson (PA)
Petri
Pickering
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—16

Barrow
Bonner
Boswell
Broun (GA)
Burgess
Conyers
Cubin
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Engel
Lewis (GA)
Lucas
Pearce
Pitts
Rush

□ 1839

Messrs. MCINTYRE and LAMPSON changed their vote from ''nay'' to ''yea.''

So the motion to refer was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ESTABLISHING PROGRAM TO MAKE GRANTS REGARDING BACKUP PAPER BALLOTS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 5803, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the bill, H.R. 5803.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 248, nays 170, not voting 16, as follows:

[Roll No. 493]

YEAS—248

Abercrombie
Ackerman
Aderholt
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Buchanan
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emanuel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Richardson
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—170

Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bono Mack
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Coble
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
Lungren, Daniel E.
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Pence
Peterson (PA)
Petri
Pickering
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—16

Barrow
Bonner
Boswell
Broun (GA)
Burgess
Conyers
Cubin
Diaz-Balart, L.
Diaz-Balart, M.
Engel
Lewis (GA)
Lucas
Murtha
Pearce
Pitts
Rush

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1848

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

HONORING NELSON MANDELA ON HIS 90TH BIRTHDAY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1090, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PAYNE) that the House suspend the rules and agree to the resolution, H. Res. 1090, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 0, not voting 23, as follows:

[Roll No. 494]

YEAS—411

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bono Mack
Boozman
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)

Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
Latta
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pence
Perlmutter
Peterson (PA)
Petri
Pickering
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—23

Andrews
Barrow
Bonner
Boswell
Broun (GA)
Burgess
Cannon
Conyers
Cubin
Delahunt
Diaz-Balart, L.
Diaz-Balart, M.
Engel
Frank (MA)
LaTourette
Lewis (GA)
Lucas
Murtha
Pearce
Peterson (MN)
Pitts
Rush
Towns

□ 1855

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CONYERS. Madam Speaker, on July 15, 2008, I was called away on personal business. I regret that I was not present to vote on H.R. 5803, H. Res. 1090, and the Motion to Refer Mr. KUCINICH's Privileged Resolution Regarding an Article of Impeachment against the President to the Committee of Jurisdiction. Had I been present, I would have voted "yea" on all votes.

AMERICANS NEED PRAGMATIC POLICIES

(Mr. SARBANES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SARBANES. Mr. Speaker, I rise today to give voice to one of my constituents, Shalonda Fredderick, whose recent correspondence with my office reflects the struggle that's facing many Americans across my district and throughout the country.

Shalonda writes, "I'm sorry to disturb you. I don't know where else to turn. I'm 32 years old. I live with MS. I just started to receive SSDI of $1,251 a month. I have applied for housing assistance. As of August 8, my rent will be $860, plus we'll be paying $30 for water, $15 a month for BGE, plus I'm paying $185 for school loans. That's my entire check.

I've tried to find help, but all I hear is that I'm too young or not disabled enough. I don't think I deserve anything more than the average person, but I know unless I find help in six weeks when my lease ends, me and my dog will be homeless."

Mr. Speaker, we've been working with Shalonda to try to help her address these immediate problems, but what she needs are pragmatic policies to ensure that people like her never reach such a perilous point.

CELEBRATING THE LIFE OF ROBBIE "GRAN" JUANITA SEPOLEN

(Mr. CONAWAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONAWAY. Mr. Speaker, I come to the floor today to celebrate the wonderful and full life of Robbie "Gran" Juanita Sepolen.

In her 105 years on this Earth, Gran was a daughter, a wife, a mother, a foster parent, a student, a teacher, an activist, grandmother, great-grandmother, great-great-grandmother, and even a great-great-great-grandmother, and most importantly, she was a devoted Christian. Her accomplishments are innumerable and the lives that she touched along the way are countless.

Growing up in Brownwood, Texas, Gran was part of the first graduating class from Brownwood Colored High School in 1918, later named the Rufus F. Hardin High School. After college, during a time of great bigotry against the African American race, Gran overcame those boundaries and shared her love of learning with others as a teacher and librarian in the Brownwood School District.

A true public servant, Gran used her rights as a voting citizen to help others find their voice by helping them register to vote. She was active in the senior citizen ministry as well, sharing her love of the arts in senior citizen centers throughout the county.

Gran never tired of meeting new people or learning new things, participating in numerous cultural events, and was even crowned the 2001 Cowboy of Color Rodeo Queen in Houston, Texas.

While we mourn the loss of such a unique and wonderful woman, we must also celebrate a life well lived and move forward knowing that Gran left footprints on the hearts of all that crossed her path.

A TRIBUTE TO DR. MICHAEL E. DEBAKEY

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to pay tribute to Dr. Michael E. DeBakey on the eve of his funeral in Houston tomorrow.

We lost Dr. DeBakey just a few days ago. Many of us have come to know him as a major force in medical science for almost 100 years. He died at 99 years old, still, however, before his illness, going to his office, going to the medical center, and being a counsel

and a resource for any number of doctors, thousands upon thousands of doctors of which he had the privilege of training.

Dr. DeBakey was a great researcher, a great scientist, a great physician, a great surgeon. He was a great teacher, and he founded the MASH unit that has helped us save so many lives. He loved veterans. He served in World War II. He was the father of the Veterans Administration Veterans Affairs Department. He created the concept of medicine for the veterans of this Nation.

We are so grateful that, among other things that he was named after, the Veterans Hospital in Houston, which I carried the legislation, his name was given to the Michael E. DeBakey High School that has helped train so many young people who have a desire for a medical profession.

Tomorrow he will be paid tribute to by so many in Houston. Mr. Speaker, today we honor him as we have been given a great gift—his life, his service, his ability to cure, his love of saving lives. May he rest in peace, Dr. Michael E. DeBakey, an icon, a giant, an American hero, and we will never forget him.

□ 1900

CHINA

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLF. Mr. Speaker, when Congressman CHRIS SMITH and I were in China 1½ weeks ago, all of the dissidents that we were to meet with were arrested, many before they even got to the meeting. And some of the dissidents were ones who had met with President Bush, and at the very time the Secretary of State was there in town, they arrested them.

I call on the President of the United States, if he is going to go to the Olympics, to give a major address the same way that Ronald Reagan gave a major address in the Soviet Union in the Danilov Monastery where he spoke out on behalf of religious freedom and human rights.

Thirty-five Catholic bishops in jail, hundreds of house church leaders in jail. They have plundered Tibet. They are persecuting the WEAGers. They are spying on this country.

I urge the President to give a major address the same way that Ronald Reagan did in the Danilov Monastery, and he should do it in a large church in China to speak out on behalf of those who are being persecuted for their faith, on human rights and religious freedom.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate having proceeded to reconsider the bill (H.R. 6331) ''An Act to amend titles XVIII and XIX of the Social Security Act to extend expiring provisions under the Medicare Program, to improve beneficiary access to preventive and mental health services, to enhance low-income benefit programs, and to maintain access to care in rural areas, including pharmacy access, and for other purposes'', returned by the President of the United States with his objections, to the House, in which it originated, and passed by the House on reconsideration of the same, it was

Resolved, That the said bill pass, two-thirds of the Senators present having voted in the affirmative.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. MCNERNEY). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. SKELTON) is recognized for 5 minutes.

(Mr. SKELTON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HALL MONITORS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, the Capitol Hill hall monitors have issued warning citations to Members of Congress. That's right; Republicans and Democrats all over the hill are getting busted. The dastardly offense was paying tribute to American warriors by placing a poster outside the office with photos of our troops killed in Iraq or Afghanistan. That's right. We're getting written up for honoring the memory of fallen soldiers from our home States and districts.

Here is my citation. I got busted for having a sign-in table and easel with a poster in the hallway. And this is the poster that I got written up for, Mr. Speaker. This letter says I have 30 days to comply with the new hallway policy or I will be in violation of this new edict.

You see, Mr. Speaker, many of my colleagues and I choose to honor the men and women who have fought so bravely and given their lives in the current wars in Iraq and Afghanistan. So we display a poster like this one.

This poster represents the 26 men and women of the Second Congressional District area of Texas that have been killed in Iraq and Afghanistan. We post these displays outside our offices so that we, our staff, and visitors will be constantly reminded of the sacrifice of our troops.

Our type of government exists because real Americans go to war and some of them don't come back. And these photos are of some, 26, of those Americans. Now the hall monitors want us to take them down. They say they are an ''obstacle.''

I will now read from the edict from the sign police that stealthily roam our hallways looking for violators of this hall monitoring proclamation. It says:

''In an emergency evacuation, the many items placed in the hallways of House office buildings interfere with the safe exit of Members, staff, and visitors . . . This policy was developed in response to a complaint regarding the proliferation of items placed in the hallways and responsive recommendation by the Office of Compliance. Its adoption was further recommended by the Committee on House Administration and supported by the Office of the Architect of the Capitol; the Office of Emergency Planning, Preparedness, and Operations; the House Sergeant at Arms; the Inspector General; the Chief Administrative Officer; and the Office of Compliance.'' And, Mr. Speaker, I will introduce this edict and this warning letter into the RECORD.

NOTICE

JULY 3, 2008.

Room No. 1605.

The attached letter, dated May 2, 2008, announced the issuance of a Hallway Policy intended to reduce hallway obstacles. The Hallway Policy can be viewed at *http://housenet.house.gov* (search on ''hallway policy'') or *http://house.aoc.gov*. We are now entering the final 30 days of the transition period established by the Committee on House Administration. In accordance with our responsibility to administer and enforce this Policy we note the following violations of the Policy:

(1) sign in table;

(2) easel.

While we are still in the transition period we are bringing this issue to your attention in order to provide you with the opportunity to bring your office into compliance. The policy will be in full force and effect on August 2, 2008, and after that date all items that violate the Hallway Policy will be removed.

If you require assistance or have any questions, please contact First Call+ at 202–225–8000 or the House Superintendent's Service Center at 202–225–4141. We sincerely appreciate your cooperation in this matter.

CONGRESS OF THE UNITED STATES,
Washington, DC, May 2, 2008.

DEAR MEMBERS OF CONGRESS, COMMITTEE CHAIRS, HOUSE OFFICERS, SUPPORT OFFICES, AND STAFF: In an emergency evacuation, the many items placed in the hallways of House Office Buildings can interfere with the safe exit of Members, staff, and visitors, as well as pose tripping hazards for disabled persons on a daily basis. In order to improve House compliance with the requirements of the Congressional Accountability Act, the Life Safety Code, and the Americans with Disabilities Act, the House Office Building Commission has adopted the attached policy relating to hallway obstacles.

This policy was developed in response to a complaint regarding the proliferation of items placed in the hallways and responsive recommendations by the Office of Compliance. Its adoption was further recommended

by the Committee on House Administration and supported by the Office of the Architect of the Capitol, the Office of Emergency Planning, Preparedness and Operations, the House Sergeant at Arms, the Inspector General, the Chief Administrative Officer, and the Office of Compliance.

The policy specifies only limited circumstances in which items may be placed or stored in a hallway or exit access area of a House Office Building. The policy also governs the removal of easels and similar signage, electronic kiosks, flag stands, and sign-up tables.

As the attached document indicates, the Chief Administrative Officer and the Superintendent of the House Office Buildings will share responsibility for implementation and enforcement of policy. The Committee on House Administration has directed us to provide a transition period over the next three months, which begins as of the date of this letter. During that period the House Superintendent also will ensure that appropriate wall-mounted flag holders are installed for Committee offices.

It is our hope the new policy will result in unobstructed hallways to ensure the protection of all Members, staff, and visitors in the case of emergencies.

Should you have any questions, please contact First Call Plus or the House Superintendents Service Center. We sincerely appreciate your cooperation in this matter.

Sinerely,

DANIEL BEARD,
Chief Administrative Officer, House of Representatives.

FRANK TISCIONE,
House Superintendent, Office of the Architect of the Capitol.

Mr. Speaker, it seems like a lot of bureaucrats are involved in patrolling the hallways of Congress, and I wonder what all this nonsense costs the taxpayer. As you will notice, Mr. Speaker, the letter refers to a single complaint, and then all of these bureaucrats went into action.

The visitors to my office call this poster a fitting tribute and thank me for honoring our troops. Apparently, the congressional hall monitors have nothing better to do with their time and taxpayer money than to regulate hall traffic and posters. One would think that in the big scheme of things, American citizens, especially the families of the fallen, would want Members of Congress to display these tributes rather than not display them. But the hall police say that if I don't take it down by the end of the month that they will remove it and trash it because it's an ''obstacle'' in their steely bureaucratic eyes.

I hope the Architect of the Capitol changes this improper edict. Is Congress going to have to pass a law to keep these tributes on display? Well, maybe. By the way, Mr. Speaker, this arbitrary rule, in my opinion, violates the first amendment of free speech and freedom of expression.

In the meantime, I am going to have to respectfully refuse to comply. Our poster isn't going anywhere. To coin a phrase used in the Texas War of Independence, ''Come and take it'' if you dare.

And that's just the way it is.

HONORING TERRY DEVINE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Dakota (Mr. POMEROY) is recognized for 5 minutes.

Mr. POMEROY. Mr. Speaker, it's with a great sense of sorrow that I rise to remember a prominent North Dakota journalist and friend, Terry DeVine, whose funeral was held today in Fargo.

If North Dakota had a hall of fame for journalists, Terry DeVine would go in by acclamation. He was tough, smart, hard working, and fair. Fortunately for us, he spent most of his career at the Fargo Forum, where over the years we came to know that he had a mighty big heart as well.

My indelible memories of Terry include his early years at the Forum, which coincided with my early years in politics. As if my first trip to the Fargo Forum, our State's largest newspaper, wasn't unnerving enough, there was hard-charging Terry DeVine, former collegiate football player, Marine Corps combat veteran. He presented a gruff demeanor that clearly conveyed ''Don't even think of trying to B.S. the Fargo Forum.''

In fact, his journalist skepticism was a point of pride for Terry. After a politician sparked his ire by complaining about what he saw as the unnecessary intrusions of reporters in pursuit of a story, Terry wrote about the role of the press in holding officials accountable. ''The relationship between a reporter and a politician should be like the relationship between a barking dog and a chicken thief,'' he proudly quoted from his former colleague Jules Loh.

True to his writing, Terry relished the watchdog role of the press. I consider it a true privilege to have known and worked with Terry DeVine for nearly three decades. I came to admire not just his prowess at writing and running a newspaper but his unflagging intellectual curiosity, his deeply anchored sense of right and wrong, and his compassion for the ''average Joe.''

The Terry we knew ran the gamut, from hard-charging city editor like a character out of ''Front Page'' in the early days to a quieter but steady leader through years of personal health adversity. His quick humor and core values never changed, and in his determined perseverance, he gave us the very best lessons of a remarkably dedicated and talented journalist.

I called him a week ago to say goodbye. I wanted to tell Terry of my respect for his career, my enjoyment of our visits over the years, and that in our dealings I felt he had always been fair. Whether I got all that across or not, I don't know. I'm not good at saying good-bye. But Terry, without a hint of self pity, thanked me for the call and he thanked me for our friendship. That was so like Terry: strong, direct, on point.

Terry DeVine's career has set a high bar for journalists in North Dakota. Come to think of it, he set a high bar for all of us. He had a life well lived, a career of distinction, and an impact that we will never forget.

God speed, Terry.

THE UNJUST PROSECUTION OF FORMER U.S. BORDER PATROL AGENTS RAMOS AND COMPEAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, as the Members of the House are aware, in February of 2006, U.S. Border Patrol agents Ramos and Compean were convicted of shooting and wounding a Mexican drug smuggler who brought $1 million worth of marijuana across our borders into Texas. The agents were sentenced to 11 and 12 years in prison and now have been in Federal prison, in solitary confinement, for 545 days.

On June 18, 2008, I sent a letter, signed by Congressman TED POE, Congressman DANA ROHRABACHER, Congressman VIRGIL GOODE, Congressmen LOUIE GOHMERT, JOHN CULBERSON, and DON MANZULLO, to ask the U.S. Department of Justice Office of Professional Responsibility to investigate the actions of U.S. Attorney Johnny Sutton in this case.

□ 1915

At this point, we have not received the response from the Justice Department. And I only hope they are thoroughly examining the details of this prosecution. One of the main reasons for our request for this investigation stems from the firearm charges used by his office in prosecuting the agents. The charge carried a 10-year minimum sentence. Without this charge, one of the agents, Agent Ramos, would have already completed his sentence and would be out of prison and with his family today.

When you look at the history of why Congress enacted this statute, one reason stands out, to warn criminals to think twice before they put a gun in their pocket on the way to the scene of a crime. The reason for this statute clearly does not apply to law enforcement Officers Ramos and Compean. These men were not carrying guns so they could commit a crime. They were required to carry guns as part of their job.

The real criminal in this case, the Mexican drug smuggler, has since pled guilty to smuggling additional loads of drugs. He is scheduled to face sentencing in Federal Court tomorrow. This is the same drug smuggler who the prosecution portrayed as a one-time offender and gave him free medical care, border-crossing cards and immunity to testify against our border agents.

While the American people won't wait for the Fifth United States Circuit Court of Appeals in New Orleans

to render its decision on the agents' appeal, I am hopeful that the House Judiciary Committee will soon hold a hearing to investigate this injustice. I thank Chairman JOHN CONYERS and his staff for their interest in investigating this case.

This case deserves a hearing because Ramos and Compean were doing their job to protect our borders. They should never have been prosecuted. During oral arguments for their appeal on December 3, 2007, one of the judges considering the case, Judge E. Grady Jolly said, and I quote the judge, ''It does seem to me that the government overreacted here. For some reason this one got out of hand.''

I want the families of Agents Ramos and Compean to know that my colleagues on both sides of the aisle and I will continue to do all we can to see that this miscarriage of justice corrected.

NATIONAL BOULE CONFERENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, I rise to express my enthusiastic congratulations and support for the Alpha Kappa Alpha sorority during its National Boule Conference, celebrating 100 years of its organization and existence. The sorority, founded at Howard University on January 15, 1908, is the first Greek-lettered sorority established and incorporated by a group of nine African American college women. The AKA sorority broke barriers for African American women in areas where little power or authority existed due to a lack of opportunities for minorities and women in the early 20th century.

Headquartered in Chicago, Illinois, the sorority consists of college-educated women of African, Caucasian, Asian and Hispanic descent. The sorority serves through a membership of more than 200,000 women in over 900 chapters in the United States and several other countries. Since its inception, Alpha Kappa Alpha has helped to improve social and economic conditions through community service programs. Members have improved education through independent initiatives, contributed to community building by creating programs, and influenced Federal legislation by advocacy through the National Non-Partisan Lobby on Civil and Democratic Rights.

My wife, Vera, is a proud member of Tau Gamma Omega, the graduate chapter of the Alpha Kappa Alpha sorority. Two of my sisters, Ceola and Floretta, are also AKAs. They often meet in our home. And I have always been very proud of the leadership and mentoring relationship my wife has established and continues to display with younger women who join. Tau Gamma Omega is a strong voice and positive presence in the community where they serve.

Mr. Speaker, it is my understanding that there are 26,000 AKAs in the District of Columbia this week. And today I was very pleased to receive, along with my wife, State representative Connie Howard, and the immediate past president of the Cook County Board of Commissioners, the Honorable Bobby Steele and a large contingent of AKAs from my hometown of Chicago, Illinois.

And so, Mr. Speaker, as a member of the Alpha Phi Alpha fraternity and the United States House of Representatives, I commend the Alpha Kappa Alpha sorority on all their continuing endeavors to help the community. And I welcome the 26,000 attending members of the 2008 Centennial Boule to their founding place of Washington, D.C.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. CALVERT) is recognized for 5 minutes.

(Mr. CALVERT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

NIGERIAN SWEET CRUDE OIL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, I think everybody in America knows that we import an exorbitant amount of the oil that we use in this country. We are dependent on oil from the Middle East. We are dependent on oil from South America, from Venezuela and elsewhere. And as a result, we are at the mercy of these countries if they decide to cut back on the amount of oil that they are selling to this country or if OPEC decides to raise the price per barrel of oil.

As a result of our dependency on foreign oil, we now see gasoline at the pump of between $4 and $5 per gallon. And everybody in this country, in fact, almost everybody, about 70 percent of people in recent polls, have said they want America to move towards energy independence. They want us to drill here in the United States. They want us to drill offshore on the continental shelf. They want us to drill in ANWR up in Alaska. They want us to use coal share converted into oil for energy. And they want us to drill for natural gas. But unfortunately, we are not going to do it because we can't get the votes in the House or the Senate to get this job done.

Now today we had a meeting. And we found out that in addition to our dependency on foreign oil from sources like Saudi Arabia or Venezuela or elsewhere in the world, we find out that from Nigeria we import almost 37 percent of our sweet crude oil, which is the preferable kind of oil you want for many of the refineries on the east coast because they can convert that in an easier way into gasoline to be sold at the pump. Now if they have to rely on heavier crude oil, as I understand it, they won't be able to convert that because they are not geared up for that. They are used to using, and the refineries are geared to using the sweet crude oil.

So as a result, we see 37 percent of the sweet crude oil coming from Nigeria and almost 1 million barrels of oil a day coming from that country. And they have problems over there right now we found out today, Mr. Speaker. They have rebel groups that are stealing as much as 500,000 barrels of oil a day and selling it on the world market to put into their own pockets. And if they decide to go further into the pockets of Nigeria, they can dig into the 1 million barrels of oil that we receive from Nigeria a day. And that is about 9 percent of the oil that we get from around the world.

The reason I'm bringing all this up is that we are dependent on Saudi Arabia. We are dependent on Venezuela. We are dependent on Canada. And we are dependent on Mexico. And now I find that we are dependent on Nigeria for about 9 percent of the oil we have, which is about 37 percent of the sweet crude oil we get, which is the preferable kind of oil that we need for refining on the east coast of this country.

We are dependent on the rest of the world. And the price of gasoline at the pump is between $4 and $4.50 a gallon. And if there is a disruption because of OPEC or what goes on in Nigeria, we could see the cost of gasoline per gallon go to $5, $6 or $7 a gallon. And the American people and our economy cannot stand that kind of a price for gasoline. People are spending $70, $80 or $90 for one tank of gasoline. And seniors and people that live in rural areas and business people trying to get to and from work cannot afford that. We can't afford the cost of getting food to the marketplace and for us to buy it without raising the price of these products. Everything is going up because of the price of oil.

And we find that we can be energy independent in this country. We can move rapidly toward energy independence if we drill off the continental shelf and Alaska, and drill for natural gas and convert coal shale into oil. We can be energy independent, and we don't have to depend on the rest of the world.

And the American people, Mr. Speaker, need to contact their Congressmen and their Senators and tell them that we need to move toward energy independence. We need to drill here in America. We can get the job done. We're a can-do country. And we need to get with it right away.

IT IS TIME TO BAIL OUT MAIN STREET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

Mr. MCDERMOTT. Mr. Speaker, we've bailed out Wall Street once already this year. We may be doing it again soon. But it's time to bail out Main Street by doing what we should have done 50 years ago, and that is provide Americans with universal health care. It's the fastest and most effective way Congress can shore up the American family. Because we all know that Americans are either paying too much for health care, can't afford to buy enough coverage, or can't afford any coverage at all. And the cost in dollars and in human terms is staggering.

A generation ago, the head of General Motors famously said, ''as GM goes, so goes the Nation.'' It's no secret that GM and America are struggling with an economic crisis. We can make the difference by addressing the single largest expense facing an American family and American business today, health care. Every day in America, the American people are forced to dig deeper and deeper into their own pockets to pay for health care. And every day American business is forced to transfer more of the burden to employees or drop coverage altogether.

America's health care system today looks like an ambulance riding on one wheel. And even that wheel will soon fall off if we continue to support a failed system that is not made in America, not worthy of America and nothing more than an accident of history.

In the early 20th century, there was a movement to provide universal health care. But ironically it was fiercely opposed by the insurance industry at a time when it made most of its money selling death benefits to those who feared a pauper's grave. Emerging from the Great Depression in 1930, Franklin Delano Roosevelt wanted to institute universal health care. But his advisers feared the American Medical Association would kill FDR's proposal for Social Security in their opposition to health care.

In the 1950s, the legendary labor leader, Walter Reuther, first won a health care benefit and a pension too for automobile workers in a labor agreement with General Motors. Then Reuther tried to enlist GM and others to join forces and lobby the Federal Government to institute universal health care. But business couldn't see coming the economic storm from global competition and didn't trust government. Organized labor, flush from a victory in Detroit, saw health care as a perpetual win at the bargaining table, and organized medicine was relentless at lobbying until they drove the universal health care program into the ditch again.

In the second half of the 20th century, there were other attempts by the American leaders, but all of them were killed by seemingly unlimited lobbying resources. Today we have 50 million Americans with no health care coverage at all, another 25 million Americans without adequate protection, and every American can't find pants with pockets deep enough to keep paying costs that are already out of sight.

The only universal truth about health care in America today is that every single American knows someone with a health care crisis or is facing one themselves. American business has to compete today in a global economy, but American business has a major health care benefit expense on its books that the international competitors do not have. Even great companies in my congressional district, which are national models to providing employee benefits like health care, are being stretched to the limit, and their balance sheets, like a rubber band, can only flex so much before they break.

We cannot stand idly by and watch when we know that developing and instituting an American single payer health care system can dramatically improve the health of American business and American families literally and financially. And for the first time in decades, we have a chance if we're willing to seize the opportunity. There are cracks in the dams of opposition. A new survey of U.S. doctors published recently in the Annals of Health Research finds that 59 percent of American doctors now support single payer health care plans, which is a dramatic double-digit increase in support in the last 7 years.

The U.S. Conference of Mayors passed a resolution a few weeks ago. Organized labor recognizes a changing global economy that means they can best represent workers not at one bargaining table, but on a national level where everyone benefits equally.

Even business is beginning to rethink its trust of government. In 2002, Detroit's auto subsidiaries in Canada strongly supported continuation of a single payer health care program because of its positive economic impact on them and their workers.

A few years ago, I asked businesses' executives if they would be willing to pay 6 percent of their revenue to offload health care and no one raised their hand. Now the average cost is 13 percent for business, and a business leader recently asked me if that deal was still on the table. I'm here to say single payer is on the table. It's time to breach the dam of opposition and create a single payer health care system for the health and well-being of the American people and American business.

We have tried the alternatives. The free enterprise system has had 50 years. But they can't do it. They have failed again and again, and the costs go up all the time. It's time to do what works in every industrialized country in the world.

□ 1930

HONORING SENATOR JESSE HELMS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

Mr. MCHENRY. Mr. Speaker, this evening, I rise with a heavy heart to honor the life of former Senator Jesse Alexander Helms, Jr., of North Carolina. Senator Helms served from 1972 to 2002, 30 years in the United States Senate, tying the longest-serving Senator from North Carolina in that record.

Senator Helms was known to most Americans as a rock-rib conservative, both committed to a smaller, more efficient government that taxes less and spends less, and also a social conservative who would stand up to the common society of the day that was allowing for many permissive activities.

Senator Helms was much more than that, though. He was an ardent anticommunist, and supported freedom around the world against the tyranny of communism. Senator Helms has a very distinguished record in the United States Senate spanning three decades.

He was known as the strongest conservative in the United States Senate in his time, one of the best known American conservatives of his time. But what many people don't realize is that in 1976, just 4 years into his first term in the United States Senate, Senator Helms did a very bold thing, he endorsed Governor Ronald Reagan in his primary for President against Gerald Ford. Senator Helms was the only Senator to endorse Reagan in 1976.

Although then-Governor Reagan had not won any primaries coming into the North Carolina primary, Senator Helms put his full campaign organization behind Governor Reagan. And in an upset victory, Governor Reagan beat sitting President Gerald Ford in that Republican primary, the first primary that Reagan won in 1976.

Historians note that without winning the North Carolina primary, Ronald Reagan may not have had the opportunity to be President in 1980. He may not have had the ability to continue his campaign going into the convention in 1976. So for Americans who know Reagan, they should thank Senator Helms and his bold move in endorsing Governor Reagan.

Beyond that, in his final term in office, the world came to him. He didn't change his principles, he didn't change the things that he was focused on, but he took the opportunity to reform the U.N., working with Senator JOE BIDEN of Delaware. The Helms-Biden agreement called on the U.N. to reduce its budget and define its mission. It also forced a much-needed review of all U.N. policies. It was a large reform, and Senator BIDEN said at the time, ''Just as only Nixon could go to China, only Helms could fix the U.N.''

Just after that in 2000, Helms was the first U.S. lawmaker to address the U.N. Security Council. That is an amazing tribute to his leadership. He was not simply ''Senator No,'' he was voted as the ''Nicest Lawmaker in Congress.''

What people know about him was the personal touch he had with people. My

first political memory was in 1984 as a 9-year-old going to a Helms-Reagan rally. That is my first political memory. Beyond that when I was a high school student, I stopped into Jesse Helms' office and he took a few minutes to sit and talk with me, take a picture with me at his desk, and showed me around his office. And I realized once I became a lawmaker how very short time is here on Capitol Hill, and for him to give me that moment is a special memory that I will always cherish.

Our thoughts and prayers are with the Helms family, and his wife, Dot.

At this time I yield to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Speaker, I had the privilege of attending Senator Helms' funeral along with Congressman MCHENRY, Congressman JONES, Senator BIDEN, Senator DODD, Senator BYRD, Senator DOLE, and others. And there were two takeaways from that funeral that I particularly remember. One was directly from Senator Helms. He said, ''You can always change your priorities, but never change your principle.'' That was a hallmark.

The other thing that the pastor said, ''The Lord always examines the heart of the giver before he examines the gift.'' Senator Helms' heart was with his constituents. His constituent service, regardless of party, was absolutely remarkable, and it was a tribute to him, his relationship with his wife, Dot, his family and his children.

Mr. Speaker, I want to thank Senator MCCONNELL and Jimmy Broughton and the Helms family for the wonderful testimonial of his service to his country.

EDUCATING IRAQ'S FUTURE LEADERS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, most of our Nation's students are on summer vacation right now. They are enjoying camp, swimming, playing, or just hanging out and relaxing. Some are even earning a few dollars at a summer job.

For their counterparts in Iraq, the school break is just now beginning. Iraqi students have just wrapped up their final exams. This year we learned was very different from last year's exam period. According to reports from relief organizations and a recent article in the Christian Science Monitor, last year's tests were marred by unprecedented incidents of mass cheating, bribe-taking, and sheer lawlessness. In many places, Mr. Speaker, last year we heard that militiamen and insurgents strolled casually into exam centers and forced officials, often at gun point, to allow cheating.

Parents feared sending their children to exams. The challenges of just getting to school, making it past militia roadblocks and suicide attackers was one thing; making it through a day full of cheating, intimidation and violence was quite another. One test proctor overseeing a geography high school exam at Baghdad University told the Christian Science Monitor, ''Last year the outlaws took advantage of the brittle security situation and caused unprecedented chaos during the final exams. It was truly a mark of utter shame on our education system as a whole.''

Another Iraqi reported that militiamen stormed into an exam hall to force proctors to let students cheat. When one headmaster objected, he was briefly kidnapped and threatened by the militiamen until he relented.

Students were woefully underprepared for their exams, Mr. Speaker. One observer told the media that anguished-looking girls came out of the exam room complaining not only about how difficult the questions were, but also about their preparation. They said it is not fair, we didn't even have a chemistry teacher all year, and we are being tested on chemistry.

This year, thankfully, it appears that the neighborhoods are much more secure. An overwhelming presence of military and law enforcement appears to have kept interfering forces at bay during the testing. The situation is still not ideal, however, because many students have to travel great distances daily. But generally, the situation is somewhat, if not a great deal, better.

Iraq has a rich educational history, Mr. Speaker. Until the years of the first Gulf War, Iraq led the region in academics and produced internationally recognized leaders in the fields of law, medicine and theology. But the challenges are still great.

The Ministry of Human Rights reported at the end of June that 340 academics were killed in and around Iraq from 2005 to 2007. And according to the Ministry of Education, 28 percent of Iraq's 17 year olds in the center and southern part of the country took their final exams in the year 2007, but only 40 percent passed. That was a decrease from 2006 when the figure was 60 percent passing.

We already know that this administration gets a failing grade on its Iraq policy. However, we don't need to condemn a generation of Iraq's future leaders. We should be investing in schools, not in tanks and guns. We must redeploy our troops and military contractors from Iraq, and we must work peacefully to help with their reconciliation. Mr. Speaker, let's send the children to school, not to war.

EARMARK LIMITATION AMENDMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FLAKE) is recognized for 5 minutes.

Mr. FLAKE. Mr. Speaker, every year now we hear a lot of high-minded rhetoric about earmarks and how earmarks represent Congress' Article I authority, that we earmark in Congress because we have the power of the purse and we are simply exercising that power.

But the reality belies that claim. Let me talk about one earmark tonight that will give just an example of how this high-minded rhetoric that we often hear is so wrong.

We may not even get appropriation bills on the floor this year. We may not have any. It may be that we simply do a continuing resolution to fund appropriations for the next fiscal year; and then in January have a big omnibus bill and all of the earmarks, the thousands that have been put as part of the bill that we haven't even seen on the House floor, will be dumped into the bill.

So all we can do, I guess, is come to the floor in a forum like this when we are not even officially challenging the earmarks, but to highlight what a waste some of these earmarks are.

This earmark that I want to talk about tonight is $200,000 in funding for the Advantage West Economic Development Group's Certified Entrepreneurial Community Program in North Carolina. There are a number of earmarks similar to this in the Labor-HHS bill which we won't see later this year. These are funds set aside for economic development, business incubators and workforce programs.

I would never argue, nor would any of us in our campaign literature, that this is a proper role and function of government. Yet we see time and again earmark after earmark to fund these kinds of programs.

This is not the first time I have challenged an earmark for this specific group. In fact, last year I came to the floor and argued that this group need not have Federal funds to carry out its objective. I say this because Advantage West Economic Development Group's Website has a long list of corporate sponsors, including BB&T, BellSouth, Qualcomm, Sprint, UBS, Verizon and Wachovia. In addition to more than 80 corporate sponsors listed, the group also counts the National Park Service, National Endowment for the Arts and the U.S. Department of Commerce as ''funding partners.''

On top of that, the group received a $282,000 earmark in last year's appropriation bill.

So why in the world, Mr. Speaker, with so much financial support coming here should this group receive an additional subsidy? It simply makes no sense at all.

I think that we ought to mention here, as was mentioned in the July 9 issue of Roll Call, that we often hear that earmarks are given out because Members know their districts much better than faceless bureaucrats in some department.

□ 1945

But why is it, then, if there is such a noble purpose for earmarks, and the Members are simply knowing their district and getting these districts, why is

there such a disproportionate allocation of earmarks? Why are so many going to leadership or so-called vulnerable Members on one side.

Why are earmarks given out to Members who are at risk of losing their election? According to a Roll Call article just a few days ago, it said that ''Sixteen Democrats in the 'Frontline' program, aimed at protecting the 29 most vulnerable House Democrats, secured $810,000 worth of earmarks each'' in the Labor-HHS bill. This is not a one-sided effort. It's not just the Democrats, it's my party as well.

The article went on to say, ''Among the 23 Republican incumbents participating in the 'Regain Our Majority Program' this cycle, 14 secured $900,000 or more in the Labor-HHS bill.

''Twelve of those—the Republicans pulled down $1 million or more in the CJS bill, with 8 of them securing $1.5 million each.''

Again, why is it, after we hear all this lofty rhetoric about earmarks, because we know our constituents best, why is it that the only ones that really know their constituents best are those who are at risk of not being re-elected back to this body? It simply doesn't make sense. It cheapens this institution. We are a better institution than that, and we should, we should respect this institution more than that and respect taxpayers' money more than that.

Also, another reason that's often given for earmarks is that we need to provide oversight. Earmarking is a way to provide oversight, because, after all, we know better than those bureaucrats on how to spend money.

I asked the Congressional Research Service to do a little research to see where the actual oversight in Congress has gone since the contemporary practice of earmarking has really started in the mid-1990s. If you look at the 104th Congress, we just had—not very many earmarks. By the time we got to the 109th Congress, we were up around, I think, the final numbers were about 15,000 earmarks. Yet the oversight hearings actually go down. That's not a legitimate reason for earmarking.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BURGESS) is recognized for 5 minutes.

(Mr. BURGESS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HONORING HOWARD COBLE FOR BEING THE LONGEST-SERVING NORTH CAROLINA REPUBLICAN IN U.S. HOUSE HISTORY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Mr. Speaker, today is a special day in the history of North Carolina, this Congress, and especially in the life of public service led by Congressman HOWARD COBLE from North Carolina's Sixth Congressional District.

Today, Congressman COBLE becomes the longest-serving Republican from North Carolina in the history of the House of Representatives. His nearly 24 years of congressional service eclipses the record of service previously held by Jim Broyhill, who served from 1963 to 1986.

HOWARD has a sterling reputation as a man of integrity and principle, a representative who stands for what is right and who fights on behalf of what makes America a great Nation. He is a truly independent voice for North Carolina and Washington. I consider it a profound honor to call HOWARD a dear friend, and I always look forward to working with him in Congress on behalf of the people of North Carolina.

In addition to his unimpeachable character, HOWARD COBLE is a champion for his constituents, whether he is working in Washington or back in North Carolina. He is passionate about constituent service, and he never backs down from a challenge to do what makes sense for those he represents in North Carolina's Sixth District.

His North Carolina values of hard work, common sense and sacrifice, on behalf of those he serves, have made HOWARD not just the longest-serving Republican from North Carolina but also a tremendously effective legislator.

The dean of the North Carolina delegation is also in possession of one of the sharpest wits in Congress. He is renowned for his deadpan humor and loves a good joke, even if it's at his own expense. As I am sure his constituents are aware, HOWARD is always ready with a cheerful greeting and a welcoming smile for whoever crosses his path.

In fact, many of those who meet HOWARD for the first time will quickly realize his affection for his constituents in his district. He can hardly meet a constituent without inquiring about their high school alma mater and then rattling off their high school's mascot.

It's not just that HOWARD knows the high school mascot of every high school in his district, it's that he cares about the little details that mean so much to average North Carolinians. Perhaps the most fitting summary of HOWARD's personality is that he is the essence of what it means to be a southern gentleman, someone who simply exudes kindness, charm and compassion.

Of course, HOWARD's sharp wit can be a two-edged sword. Last month his sense of humor almost killed someone. At the North Carolina GOP convention, he cracked a joke to Senator Robert Pittenger, who is campaigning to become North Carolina's lieutenant governor. Pittenger nearly expired after choking on his meal in mid-chuckle. Reliable sources have hinted that the joke might have been a variation of HOWARD's feisty mountain woman one-liner that he routinely uses to describe me. Fortunately, former presidential candidate Mike Huckabee was there to rescue Pittenger from HOWARD's humor with a well-placed Heimlich maneuver.

All kidding aside, one thing I admire most about Congressman COBLE is the fact he has served so long and so admirably while still retaining the North Carolina values that helped bring him to Congress 24 years ago. He has no doubt seen much during his tenure from the last days of the Soviet Union and the fall of the Berlin Wall, to the heady days of the implementation of the GOP's Contract with America in 1995, and then the dark days after September 11. Throughout it all, Congressman COBLE has been a consistent, caring legislator who represents the very best of our great State of North Carolina.

Today, I salute HOWARD COBLE, my friend, for his many years of service. On this historic day, I wish him many more years of faithfully serving his constituents and his country.

HOWARD is truly one of a kind.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. CAMPBELL) is recognized for 5 minutes.

(Mr. CAMPBELL of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. GARRETT) is recognized for 5 minutes.

(Mr. GARRETT of New Jersey addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. WOLF) is recognized for 5 minutes.

(Mr. WOLF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. CONAWAY) is recognized for 5 minutes.

(Mr. CONAWAY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. GILCHREST) is recognized for 5 minutes.

(Mr. GILCHREST addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

(Mr. GINGREY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

MORTGAGE FORECLOSURE CRISIS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 60 minutes as the designee of the majority leader.

Ms. KAPTUR. Mr. Speaker, I wonder if the American taxpayers know that they are now the insurance company for Wall Street and for Wall Street's high-risk investors.

I am very pleased to begin this evening joined by our dear and respected colleague from the great City of Cleveland, Congressman DENNIS KUCINICH, and would yield the first portion of the hour and such time as he may consume on the very important subject of the mortgage foreclosure crisis and the financial crisis facing our Nation.

Mr. KUCINICH. I want to thank the gentlelady from Ohio, my long-time friend and colleague, Representative MARCY KAPTUR, for organizing this special order and for her continued commitment to addressing the foreclosure crisis, which is ravaging communities like Toledo and Cleveland and cities across this country.

I would also like to thank Chairwoman MAXINE WATERS for her persistence in addressing the foreclosure crisis and the subprime crisis. It has been an honor for me to work with Congresswoman KAPTUR and Congresswoman WATERS on this very important matter.

My subcommittee, the Subcommittee on Domestic Policy of the Committee on Oversight and Government Reform, a subcommittee of which I am chair, has held five hearings over the past 2 years regarding the foreclosure crisis, predatory lending, lasting effects.

What we have found is that neighborhoods are totally blameless victims of the foreclosure crisis. When homes are lost to foreclosure, property values of the surrounding homes plummet, and owners lose equity in their homes.

When you go into a neighborhood like Slavic Village in Cleveland where I am from, and you look how certain people built a community there, an older ethnic community, where people would take pride in their property, in keeping it immaculate, and then you see foreclosures in the community. Suddenly, someone who has had a property that they have kept up for 40 or 50 years, sees their property values decline because of the foreclosures around them and sees their property actually at risk, the fire hazards and safety hazards because of the foreclosures around them.

We are seeing people who, for their family, their home is their biggest investment in their life. That's the way it is for most Americans, seeing their investments threatened because of the sharp practices in subprime lending, and in the foreclosure scandal that has hit this country that Congresswoman KAPTUR has been one of the primary spokespersons on in terms of exposing.

We see these demands for services, municipal services. They increase as the foreclosures run wild, more police and firemen needed where there are a lot of foreclosed homes, increased social services and code enforcement. When you think of a foreclosed home, the cost of the foreclosed house goes far beyond the cost of the house itself.

Unfortunately, the State of Ohio and the City of Cleveland have been at the center of this crisis for some time now. According to RealtyTrac, which is an independent group that gathers information on foreclosure, four Ohio cities are in the top 20 metropolitan areas affected by foreclosures. Moreover, the Cleveland metropolitan area ranks sixth in the Nation for percentage of houses in foreclosure, which is a staggering statistic, considering our city's modest property values and the cost of living, which in Cleveland is relatively inexpensive.

Ms. KAPTUR. If the gentleman would yield just for a moment.

Mr. KUCINICH. I would certainly yield to my friend.

Ms. KAPTUR. Perhaps I could point out on the map, of course, Cleveland the most affected region of Ohio, Cuyahoga County, if we look back to 1997, here, and you just look at the colors alone, you have a sense of how many people are actually losing their homes in that region versus Columbus, Ohio; Cincinnati, Ohio; my own region, the greater Toledo area. The change between 2007 and 1997 in the last decade, it's just, it's profound.

Mr. KUCINICH. If I may, what the gentlelady points out, you can look at the research that uses foreclosure and lending data. In Cleveland, the parts of the city where the depository banks made very few prime loans, they also saw the highest percentage of subprime loans and subsequently, or consequently, the highest number of foreclosures.

So it should not be the least bit surprising to anyone, then, that the pattern of foreclosures mirrors almost exactly the established patterns of low-prime loans and high numbers of subprime loans.

Ms. KAPTUR. Absolutely, and each red dot on this map of Ohio represents 10 foreclosures. If we look at the same period of time and how many new filings are fueling this foreclosure growth, we can go back to 1997 and look at 21,000 filings every single year. The number increases to where last year there were over 83,230 filings. Many of those, the gentleman states, so-called subprime, concentrated in communities that were working class and poor. There was a targeting going on around this country.

Mr. KUCINICH. No question about it, to my good friend MARCY KAPTUR.

If we dug a little bit deeper, and we saw some patterns that reflected exactly what you have said, the patterns coincide with some cases with African-American neighborhoods because look what happened, for years, people in African-American neighborhoods couldn't get any loans at all. Then what happened, the Community Reinvestment Act passed, and we were supposed to have access to, finally, to credit.

But banks found a way to go around that. Instead of offering prime loans to people of color, they came up with these subprime packages, no document, low-document loans, didn't tell people exactly what was going on. As a result, people got in over their heads, and they ended up losing their homes.

Now, some people will say well, they should have known. But let me tell you something. One of the most significant challenges in this country is a issue of financial literacy. It's not a color issue, because the fact of the matter is that working-class people are and people who are poor people, often have a problem with the issues of the financial literacy. It's called reading the fine print, looking at the bottom line.

So you rely, and you trust people, you think that the banks are going to be fair to you. You think they are going to tell you the whole story. You think that you are going to be given an opportunity to have an even break. Not so, you look at the filings.

Ms. KAPTUR. If the gentleman, my dear friend Congressman KUCINICH would agree with this, in many of those neighborhoods there literally were no regular banks. In other words, they red lined the community providing no decent financial institutions, leaving them with those payday cash checking or check cashing operations in those communities.

Then all of the money that would flow into those communities, whether it was Social Security for senior citizens who had worked, veterans disability benefits for people who had served our country, where would they take that check to cash it?

□ 2000

There was no place. It was redlined. So those dollars were systematically

removed. That's what redlining was about—their money systematically removed from those communities and put somewhere else—and then the very people in those communities couldn't get mortgage insurance for their homes, so they were sucked dry. That's why we had the Home Mortgage Disclosure Act. It was to say, hey, people in these neighborhoods have savings; they have income; they shouldn't have to pay all this money to cash a check. Then when we made them abide by the law and treat every citizen with the respect they're due, they came up with the subprime gimmick.

Mr. KUCINICH. Exactly.

So what they did is they started in African American neighborhoods, but when the subprime financial machine started to churn and Wall Street looked at it as a tremendous opportunity for growth and the hedge funds looked at it as an even greater opportunity for the unregulated massing of capital, then what you had is the reach from the African American communities, which are primarily located in cities, into the suburbs. So you have this foreclosure pattern spreading.

We're also seeing increases in high-cost loans and vacant properties in the outer suburbs and, guess what, in the outlying counties where the more recent data is analyzed further. Where previously the phenomenon was in the African American census tracts in eastern Cuyahoga County, we see the problem spreading west of the census tracts where there are larger Hispanic and Arab populations as well as our seeing the problem spreading into every direction it can spread in Cleveland—east, south and now west.

Ms. KAPTUR. You know, it used to be that most people in this country, when they would get home loans, would go to financial institutions in their communities or in their neighborhoods if there were a financial institution. You had a person who would make a judgment about you. What was your character? What was the ability of that institution to collect the loan? What was your collateral? Character. Collateral. Collectibility.

Then back in the 1980s, we had this big savings and loan crisis, and the cost of keeping our financial system whole was dumped on the taxpayers of the United States. We have now paid a quarter of $1 trillion, $250 billion, going back to the 1980s.

What has happened in this crisis after the savings and loans were demolished—really, gotten rid of—is that in the 1990s, I can remember their saying, well, you know, we won't have that problem anymore because now we're going to create something new. It's called a mortgage-backed security, and Wall Street will solve our problem. We will never have a banking crisis again in the United States of America. We're going to create this cute, little paper instrument, and we're going to let Wall Street break up your mortgage into parts, and all these mortgage banks will have it, and then there won't be any one bank that will get in trouble, right?

So, during the 1990s, there was complete financial deregulation. We got rid of something called the Glass-Steagall Act, that goes back to President Roosevelt, where we separated banking from commerce, and they got rid of the appraisal standards of HUD in 1993 and 1994, and Freddie Mac, Fannie Mae and the Office of Thrift Supervision at the Treasury Department didn't do their jobs.

What happened was these new securities moved from the local communities. Our local thrifts were gotten rid of—the agencies that created the mortgage instrument and helped people have savings accounts with real passbooks that earned interest. Then we started working with Wall Street, and your loan would go from your local communities—this is Countrywide right here. If we look at Angelo Mozilo, he didn't live in Cleveland or in Toledo. He made over $2.8 million.

Mr. KUCINICH. That's in a year.

Ms. KAPTUR. You know, the bankers who worked in our communities years ago, they didn't make that kind of money, and that doesn't count all of his stocks and everything else. Countrywide is one of the worst abusers, the worst abuser, in this scandal.

So, during the 1990s, the mortgage process became hooked to Wall Street. Then for the first time in American history, those mortgages, rather than being held by your local banks where you had to go in where they knew you and where they knew whether your father had a job or whatever else, were traded up to these anonymous institutions, to people who didn't even live in your community. Then they did something they'd never done before in American history. They sold them into the international market.

One of the real problems in places like Toledo and, I'm sure, in Cleveland, Congressman KUCINICH, is that the workouts are very difficult to do because you're not sure who is the ultimate holder of your loan. How many of the millions of people being hurt by this go to the telephone and try to work out a deal with one of these companies? As for IndyMac, the company that just went belly-up last week, their CEO made a salary of $1 million, a bonus of $1 million, whatever. Now that institution from California is in trouble. Try to work out your loan. Who holds your paper? How do you get that person on the phone?

It's a totally anonymous, faceless system for millions of Americans, and it was meant to happen, and now the American people are being asked to become the insurance company for Wall Street—for investment banks and for Freddie Mac and Fannie Mae, which are not insured institutions of the Government of the United States of America—to the tune of who knows how much—$1 trillion? $2 trillion? $3 trillion?

Mr. KUCINICH. Would the gentlelady yield.

Ms. KAPTUR. I would be pleased to yield to the gentleman.

Mr. KUCINICH. There has been no accountability here. The Federal Reserve was supposed to be monitoring the practices of the banks. They didn't do that. The Securities and Exchange Commission was supposed to be watching the movement on Wall Street as this juggernaut of subprime loans moved along, and it was supposed to be providing a measure of discipline or regulation. They didn't do that.

The Justice Department was supposed to be watching these mergers that were occurring that were really driven by the desire of not just capital formation but by the desire to get their hands on these newly packaged instruments that were beyond the reach of regulators, and the Justice Department didn't do anything.

When the hedge funds began to accelerate with the help of the subprime loan packages, no one was thinking that there was a bubble that was growing. All the danger signs were there. The regulators looked the other way.

Now, what does this mean? What it means is that somewhere in America there is a family who had a dream for a home, and that dream was the most important dream in their lives, just to have a place they could call their own, and they weren't able to get credit up front for a while.

Finally, they went to an institution that said, ''Okay, We'll give you a subprime loan. Here are the terms.'' They accepted those terms. Then they found themselves unable to meet the terms and found they really didn't understand what they were getting into. Then, suddenly, people who had worked their whole lives to have just a little bit of the American dream found it gone in a flash.

This is not right. This cannot be what America is about. America can't be a place where it's all about the government's being an engine for accelerating the wealth of America upwards, because that's what it has been about. It has been about that in the financial markets to the detriment of the small investors. It has been about that in the banking industry as we've seen a lot of the smaller banks just destroyed. In the insurance industry, the wealth accelerates to the top and in the utilities industry.

You can take every single industry in this country, and the wealth has been accelerated to the top. Essentially, you take what you have without the regulation, and you have the destruction of the American dream.

I want to thank my colleague MARCY KAPTUR for giving me this brief moment to have this colloquy with her.

We're very fortunate to be joined by a woman who has equally been a champion for the people from Los Angeles. Before I leave, I want to once again acknowledge what an honor it has been to work with my dear friend MAXINE

WATERS, who, with Congresswoman KAPTUR, came to Cleveland, Ohio, and you heard the testimony of the people from Cleveland.

I come from one of America's great cities, and it is getting overrun, not only by the subprime lenders, but by the secondary market that has come up as continuing the predatory conduct. It is going after people who have lost their properties, and it is seeking to drive the properties down further, selling homes for a few hundred dollars even or for under $10,000 if you can imagine that in this day and age.

So thank you, MARCY KAPTUR. Thank you, MAXINE WATERS. Let's stay on this because we need to make sure there is justice on behalf of those who aspire to own homes, and we need to help fulfill the American dream for people who work hard and who pay their bills to have the chance to be able to have a piece of that dream without getting cheated by these so-called lending institutions that are all about grabbing whatever money they can, whether they have any scruples or not.

So thank you, MARCY KAPTUR and MAXINE WATERS.

Ms. KAPTUR. Thank you also, Congressman KUCINICH, for being a champion for Democratic capitalism. As to your point about the whole financial system's becoming unreachable and so concentrated, whatever happens here, the ordinary American family and the ordinary American community will benefit by whatever Congress does.

As I listen to what is being talked about in this Chamber and over in the Senate, one of my biggest worries is that very big institutions on Wall Street are going to be bailed out or are going to be propped up by the American taxpayer.

My question is: What does the American taxpayer get for that? Our Federal Housing Administration is literally going to become the insurance company for Wall Street. When these big Wall Street firms get all of these homes, how does the average American get in on this equation?

I'm putting in the RECORD tonight an article that was in The Observer. It talks about an effort to allow homeowners who are losing their homes at the local level to work with their local governments and local housing authorities to transfer those homes, perhaps, to them. Then in a lease-back provision, they would be able to pay that locality back for that home.

[From the Observer, July 13, 2008]

CREDIT CRUNCH: EMERGENCY SCHEME TO HELP CASH-STRAPPED HOMEOWNERS

(By Gaby Hinsliff and Jamie Elliott)

Homeowners struggling to meet their mortgage payments would be able to sell their homes to the local authority and rent them back as tenants under radical proposals being considered by the government to prevent the misery of repossession.

Emergency measures to allow families to keep a roof over their heads are being drawn up as the scale of repossessions proceedings becomes increasingly apparent. In Newcastle upon Tyne alone, the newly nationalised Northern Rock is monopolising at least one day a week in the county court to pursue defaulting borrowers.

The latest rescue package reflects growing fears about the seriousness of the crisis, with some analysts predicting that house prices could fall by 35 per cent. Ministers are worried about the 13 per cent of fixed-rate borrowers whose cheap deals expire this year, some of whom may by then be in negative equity and therefore unable to switch to a new fixed rate with another lender.

Caroline Flint, the Housing Minister, told The Observer yesterday: 'I am looking at what more we can do with our colleagues in local authorities—what they can do as well as actually building [homes], and what support they could give to people who might be feeling under pressure on mortgages.'

Asked to confirm that she was considering rent-back schemes, enabling homeowners to become council tenants in their original houses rather than be repossessed, she said: 'We are looking at that. I have to be certain that the choices I make do actually help to limit the damage; and, importantly, is it a short-term fix or a long-term impact?'

The scheme be expensive. Councils would need central government funds to buy the houses. But it could save on the long-term costs of rehousing homeless families and allow councils to increase their housing stock at relatively low prices.

Flint also suggested the Bank of England could increase the size of its £50bn fund designed to stimulate mortgage lending, admitting she was 'disappointed' that the cash that has been pumped in so far had not led to cheaper home loans. 'No doubt our colleagues in the Bank and the Monetary Policy Committee will also be looking at the issue in terms of whether any extra has to be provided,' she added.

She has suggested that country landowners could be freed to build cheap houses for their workers on their own land, in a return to the system of 'tied cottages'.

'It's recognising that sense of community and how everybody has a part to play,' she said.

Debt advice experts warned yesterday that, despite the Chancellor's calls for leniency from lenders, Northern Rock was now aggressively pursuing defaulting borrowers as part of its efforts to repay the £25bn rescue package it received from the government. Chris Jary, director of Action for Debt in Durham, said: 'There used to be a small group of sub-prime lenders who you knew would always go straight to court. But recently it's Northern Rock who have become more aggressive, taking legal action as soon as they can.'

House repossessions at Northern Rock are running at twice the rate they were before the bank was nationalised in February.

Rather than Wall Street's making all the money in their bond houses, why don't we use the bonding power of our cities and of our housing authorities to help move some of that money back down rather than move the money out, back up again to Wall Street?

Mr. KUCINICH. Would the gentlelady yield.

Ms. KAPTUR. Yes, I would be happy to yield to the gentleman.

Mr. KUCINICH. Before I leave here, I just want to make one other point, and this could be the basis of further discussion. Congresswoman KAPTUR earlier today mentioned it in a meeting among the Democrats in our meeting.

We are looking at a debt-based financial system, at a debt-based monetary system where money equals debt, and we are at the beginning of the end of a democracy when we see this system causing the wealth to go upwards.

So I want to thank you for mentioning that. I just wanted to mention that because we really need to look at how money is created. How does it end up that we have so many people in debt and that we have a few who are rolling in dough?

This debt-based financial system is something that needs to be explored more thoroughly. The fractional reserve needs to be explored more thoroughly, and the role of the Federal Reserve in facilitating these heists has to be made known.

So I thank you, and I appreciate the opportunity to spend some time with you.

Ms. KAPTUR. I thank the gentleman for raising these points and also to say that, when you have a system of debt, certain people get very, very wealthy. These are some of the people who got very, very wealthy.

Whether it was Mr. Mozilo of Countrywide or, of course, Michael Perry from IndyMac, which went broke, or Richard Carrion from Popular, these men were making millions and millions of dollars. This doesn't even include the big bond houses on Wall Street. Bear Stearns was the first one to go belly up.

Now we're asking our government to prop up the risky investment practices of Wall Street and to reward the very bondsmen who have placed the American people in the position of servant hood. They make out in terms of selling their bonds and by indebting the people of the United States. They get their fees.

What is amazing to me is that, if you look at the list of the bonding houses that got us in this fix—if you look at Countrywide—would you believe, even though our government knew what it was doing, it kept them on the list of primary securities dealers at the U.S. Treasury Department? HSBC, one of the primary violators, is on the list of primary dealers of the Federal Reserve.

You start looking down that list and start saying to yourself, hey, wait a minute. What is this, a circle? They all just circle the wagons. They are the same people who cause the trouble. Then they come to the American taxpayer to bail them out.

Congressman KUCINICH talked about the Roosevelt administration and the creation of the Reconstruction Finance Corporation. The Reconstruction Finance Corporation was not just about bailing out Wall Street. What was interesting about what President Roosevelt did was that he created a special jobs program. If you look at what that Reconstruction Finance Corporation really did, people around America got work. There was a homeowners' loan association for cities and then a farm credit administration for homeownership in the countryside.

The Works Progress Administration, the WPA, built infrastructure across

this country—zoos and libraries and highways. Yes, they did prop up Wall Street, but they created new types of savings institutions, not to create debt but to create equity, to say to the American family, ''Look, you can own a home. Here is a passbook.'' These are savings and loan institutions. You would get a passbook. You could put money in there. You would actually get an interest rate worth something—4 or 5 percent a year. People learned a savings habit.

□ 2015

Tell me the last time you got a letter from a financial institution in this country asking you to save. All you get are credit cards. ''Get this loan, zero percent down.'' I keep a stack. I've got it in my office. It's about this high. If I signed up for all of those credit cards, I couldn't even manage to keep in touch with all of them. The debt posture that these institutions have pushed have helped push America to the precipice. And every American who's listening knows what I'm talking about.

It is not an accident that we are in this situation. The entire financial system was turned inside-out during the 1990s. We got rid of something called the Glassed Eagle Act which had been in existence from the time of Roosevelt that said you can't mix banking with commerce. You can't mix banking and commerce with real estate. They have to be separate because there are too many bad things that can happen because you know what? Some people are very greedy. They are very, very greedy. And some people don't have information to make informed financial decisions.

So we are now inheriting a situation here which is very, very serious. And today in the Financial Times—and I will place this in the RECORD this evening as well, and then my colleague would like to assume her role here; when she is comfortable, we will move to that—but the Financial Times had an article called ''Goodbye capitalism'' by Joshua Rosner. And what he said is, ''We have nationalized the losses from Bear Stearns,'' which is an investment bank, not a regular savings bank, ''through a transfer of risk onto the Federal Government's balance sheet and have now nationalized the losses generated by Fannie's and Freddie's poor management and functionally taken $5 million in obligations on to the government's balance sheet.''

That means not just us, our children and grandchildren are going to pay for generations. And that makes the bond houses on Wall Street so happy because they make money while the American people suffer.

The article says, ''we will see the continued nationalization of bad assets, placing the burden on the shoulders of the already overburdened American taxpayer.

''We have done this without forcing the disgorgement of undeserved gains by the management and without replacing managements who are now controlling government-owned businesses. Instead of protecting those who made bad bets, we should use our rule of law to address the situation.'' We need a special investigatory panel with subpoena authority to look at every single person back through the 1990s who helped place America and her families in this situation.

The article says, ''Rather than making the taxpayer liable for debts and debts of the government-sponsored enterprises, it would be more sensible to effect a smooth, prepackaged reorganization plan.'' But you know what? That's not in the bill that is likely to be considered here soon. They just want the money, but they don't want to reorganize the system in order to prevent further damage in the future.

We're being pushed by the Bush administration: Do this now because the markets are really nervous, but we won't get the reform that we need in order to avoid these crises in the future. We're merely going to reward bad behavior and put the American people at risk.

''As part of a prepackaged reorganization,'' the article goes on to say, ''the government could explicitly assure investors they will receive all of their guaranteed interest payments. Instead of giving ineffective management a line of credit,'' which is what the bill proposes to do, ''Treasury could provide the GSE's regulator with a line of credit used to assure timely payments for these obligations. This is the tool that Treasury provides the Federal Deposit Insurance Corporation with to sort out failed banks.'' That's what Roosevelt used.

''Over time that line will be repaid by the running-off of the portfolios, active servicing of mortgages and through payment of claims by private mortgage insurers who guaranteed first losses on GSE mortgages.

''The next step would create $150 billion in new equity capital and enable the GSEs, without governmental support, to achieve more fully their chartered mission. Over the past decade'' Fannie Mae, Freddie Mac ''have increasingly used their portfolios to speculate,'' and this is the first time I have read this, ''in aircraft leasing, manufactured housing, interest-only mortgages, and other securities they are specifically prohibited from buying as part of their financial mission.

''In recent years, through these portfolios they funded nearly 50 percent of the riskier private label alternate Alt-A mortgage market, invested in aircraft, lease securities, manufactured housing and other assets that leveraged them into trouble. To achieve the speculative, hedge fund-like growth they issued almost $1.500 billion of senior corporate debt. By their investments, debt buyers supported speculation in non-mission-related activities and did so with a clear understanding they with funding non-mission-related activities.

''They also knew GSE debt was explicitly not an obligation of the U.S. taxpayer and that was repeated constantly by the government and the companies.

''In exchange for their current debt, these holders should receive 90 cents on the dollar of new, long-dated senior debt in the companies and 10 cents of new subordinated debt.''

''This approach would send a very strong signal, from the government, that investors fully consider the risks of bad asset allocation.'' And ''though it would cause pain for equity and subordinated debt investors, those investors received the majority of returns over the past several years and, in our great system, they are supposed to be subordinated.''

I want to put this article in the RECORD. I think it is very, very well written.

And I go back to my initial question for this evening. I wonder if the American taxpayer knows they are now the insurance company for Wall Street and Wall Street's high-risk investors. We have to figure out a way, as we work our way out of this serious situation, for some of the dollars that are being directed to Wall Street, rewarding them, in a sense, for their behavior, go the other way back to community and that mayors and that local housing authorities be provided with the kind of wherewithal it's going to take to rescue our local housing markets and to create the kind of mortgage activity at the local level that will help lift our real estate industry, that will help prevent further foreclosures of our families and that will help people, face-to-face at the local level again, assure that that housing market is more secure than we have had with this very indirect, anonymous kind of relationship that has resulted from this mortgage-backed security industry that we moved into in the 1990s.

I would like to ask the extraordinarily qualified and engaged chairwoman of the Housing and Community Development Subcommittee of Financial Institutions who's worked so hard on this issue, Congresswoman MAXINE WATERS of California, to assume her time this evening and perhaps to give us further insight on what the committee is about and what we, as a Congress and the American people, might do to help us help ourselves as a country right the ship of our economic state.

Congresswoman WATERS, thank you so much for joining us this evening. Thank you for your extraordinary efforts as a Chairwoman and for bringing your committee to Ohio to witness what we are dealing with there is emblematic of what is happening across this country. Thank you for joining.

[From the Financial Times, July 15, 2008]

GOODBYE CAPITALISM

(By Joshua Rosner)

In a capitalist economy, losers are expected to take losses and winners to gain. Private enterprise is best able to allocate

capital efficiently and, where it fails to do so, markets make adjustments and capital is reallocated to efficient users. This basic tenet supports good and productive assets moving from the hands of weak players to stronger. Where this is not possible, the U.S. system gives the government a hand in fostering that move through an efficient process called bankruptcy or reorganisation. This rule of markets and of law has always been the basis of our national supremacy in innovation and the reason ours was the world's clear choice of a reserve currency. That was the world we lived in previously.

Our elected officials have repeatedly demonstrated that even equity holders, who are supposed to have the most subordinated claims on assets, cannot be allowed to take losses and instead believe we should all communally share in losses that result from poor allocation and risk management decisions. We have nationalised the losses from Bear Stearns through a transfer of risk on to the federal government's balance sheet and have now nationalised the losses generated by Fannie's and Freddie's poor management and functionally taken $5 trillion in obligations on to the government's balance sheet. This has been done even though every equity or debt offering of Fannie and Freddie explicitly states that these ''are not guaranteed by the U.S. and do not constitute an obligation of the U.S. or any agency or instrumentality thereof other than'' of Fannie or Freddie.

By the time we are finished with this tragic period in U.S. economic history, the government is likely to have to choose whether to do the same for at least one more large bank, investment bank, bond insurer, mortgage insurer, multiple large regional bank, airline or car manufacturer. Given the choices we have seen from officials, who obviously have little faith in the ability of capital markets or our system of law, we will see the continued nationalisation of bad assets, placing the burden on the shoulders of the already overburdened American taxpayer.

This commitment by misguided officials to print more money, to stoke the embers of inflation and to debase further our already hobbled currency invites foreign investors to pick through our assets and buy our remaining strong businesses (Anheuser Busch) on the cheap. As the strength of our remaining industries is further weakened, along with taxpayers' buying power, it will become increasingly necessary, as a matter of survival, for American workers to demand increases in their wages.

While some might applaud the government's policy action, it will prevent the rational and orderly repricing of over inflated assets, ensure they remain overvalued, uneconomic and unaffordable to a populous that will see an increasing percentage of their wages allocated for the support of our national debt. We have done this without forcing the disgorgement of undeserved gains by managements and without replacing managements who are now controlling government ''owned'' businesses.

The same economists who have repeatedly argued efficient market theory have chosen this path. Instead of protecting those who made bad bets, we should use our rule of law to address the situation. That would mean we allow weak players either to fail or to reorganise through an orderly transfer of good assets from weak hands to strong hands. This would protect the once-mighty U.S. dollar and affect the necessary and repricing of assets to sustainable equilibrium. Doing so would also decrease moral hazard and send a strong message of faith in our great system as the model for global financial advancement.

There is another option in relation to Freddie Mac and Fannie Mae. Rather than making the taxpayer liable for debts the debts of the government-sponsored enterprises, it would be more sensible to effect a smooth, prepackaged reorganisation plan. This could be done quite simply and would strengthen the GSEs' ability to meet their congressionally mandated purpose of supporting liquidity in the secondary mortgage market.

The core of the GSEs' mission is to purchase mortgages from mortgage originators, charge a guarantee fee to issuers to protect their ability to stand behind these loans, and securitise these mortgage-backed securities with assurances to MBS holders they would receive 100 per cent of their anticipated returns. To this end the GSEs have guaranteed $3.5 trillion in mortgage-backed securities. These securities are backed by real housing assets and there is little question that, assuming they are well serviced, there will be relatively little loss over a longer period.

As part of a prepackaged reorganisation the government could explicitly assure MBS investors they will receive all of their guaranteed interest payments. Instead of giving ineffective management a line of credit, Treasury could provide the GSEs, regulator with a line of credit used to assure timely payments on these obligations. This is the tool that Treasury provides the Federal Deposit Insurance Corporation with to sort out failed banks. Over time that line will be repaid by the running-off of the portfolios, active servicing of mortgages and through payment of claims by private mortgage insurers who guaranteed first losses on GSE mortgages. Because these debts are core to the GSEs' social mission and real assets back these debts, this would be an appropriate resolution.

The next step would create approximately $150bn in new equity capital and enable to GSEs, without governmental support, to achieve more fully their chartered mission.

Over the past decade the GSEs have increasingly used their portfolios to speculate in aircraft leasing, manufactured housing, interest-only mortgages and other securities they are specifically prohibited from buying as part of their mission. In recent years, through these portfolios they funded nearly 50 per cent of the riskier private label Alt-A mortgage market, invested in aircraft lease securities, manufactured housing and other assets that leveraged them into trouble. To achieve this speculative, hedge fund-like growth they issued almost $1,500bn of senior corporate debt. By their investments, debt buyers supported speculation in non-mission-related activities and did so with a clear understanding they were funding non-mission-related activities. They also knew GSE debt was explicitly not an obligation of the U.S. taxpayer and that was repeated constantly by the government and the companies.

In exchange for their current debt, these holders should receive 90 cents on the dollar of new, long-dated, senior debt in the companies and 10 cents of new subordinated debt. The companies would then have enough capital to support their core, chartered mission and could increase the social returns and financial returns of investors in their core mission. This approach would send a very strong signal, from the government, that investors fully consider the risks of bad asset allocation. It would almost certainly strengthen the dollar. Though it would cause pain for equity and subordinated debt investors, those investors received the majority of returns over the past several years and, in our great system, they are supposed to be subordinated.

Ms. WATERS. You're certainly welcome, and I thank you for taking this time out this evening, Congresswoman KAPTUR, to talk about what is happening in this country with this foreclosure mess that we're in, this sub prime meltdown that we are experiencing.

I really came to the floor to commend you and congratulate you for all of the time that you have put in on this issue unraveling some of the history of what has taken place with the banking community with what is going on in our economy today and trying to identify how we got into this situation and what we could do to get out of it.

Many of our Members—two are distressed about what is happening in their districts and in their communities, but they don't know nearly the information that you have discovered about this entire unfortunate situation that we are in.

Let me just say that I did come to Ohio at your invitation and your delegation's invitation, and I know that you were the leader in helping to pull that delegation together and getting me there to talk about what is going on in Ohio. I was joined, and we were joined, by several members of the Ohio Congressional Delegation each trying to bring attention to the foreclosure devastation that's spread across that State.

Again, you have been a persistent voice in our Democratic Caucus for taking bold action on the foreclosure crisis, generally.

Let me mention that Representative TUBBS JONES, Representative KUCINICH, who was here on the floor, Representative SUTTON, Representative WILSON was in attendance, and I think we all learned an awful lot that day. We had great witnesses who came and talked about what is going on in the State, and we discovered since 2005, Cuyahoga County has had the highest number of foreclosures in the State, with Montgomery, Summit, Lucas, and Preble counties rounding out the top five. The 10 largest counties in Ohio accounted for 64 percent of the foreclosure filings in Ohio last year.

And according to data from the Mortgage Banking Association, in the fourth quarter of 2007, 7.67 percent of Ohio home loans were past due with 2.01 percent 90 days or more overdue. And during the same period last year, 7.25 percent of Ohio loans were past due with 1.74 percent 90 or more days overdue.

Because of the challenges it has faced economically over the past few years with the loss of manufacturing jobs and population from certain parts of the State, Ohio was truly the ''canary in the coal mine'' of the foreclosure crisis—vulnerable to sub prime lending and its aftereffects much earlier than the rest of the Nation.

And the foreclosures have taken a toll on Ohio's neighborhoods and communities. Data that was provided by HUD showed that there is a direct correlation between the number of high-risk loans in a neighborhood and increase in the neighborhood's vacancy

rates. Cleveland has been especially hit hard. There are an estimated 10,000 vacant homes in the City of Cleveland. On one of Cleveland streets, 37 out of 123 homes are in the same stage of the foreclosure process, so they are in some stage of the foreclosure process.

The testimony we heard in Ohio only made me more certain in my belief that State, cities, and counties need help from the Federal Government to deal with the problems caused by abandoning foreclosed properties. And I could go on and on and on, but I was extremely moved; and on my way out there were some people there from east Cleveland who said that 40 percent of all of the homes in east Cleveland were in foreclosure.

And then I heard the story of Campbell where people owned their homes free and clear. They were not expensive homes, but they had been handed down. They were in the family. They were paid for, $40,000 homes, and the guys came in there, the best suede-shoed boys I call them, and increased the appraisals on those homes, ran those appraisals up to $150,000 or more and lent money. And people found themselves in a situation where they couldn't pay it back. People who thought, well, I could refinance this house, I can put on another room, I can put on a new roof. I can do these things. And they were told, ''Just sign on the dotted line. Don't worry about it. We can get you into this refinance. Even if it resets, we can take care of that.''

But MARCY KAPTUR, let me just say, people all over America are wondering what happened. Families have lost their homes, communities are being devastated, cities are using their precious general fund money and CDBG money trying to maintain these boarded-up and foreclosed properties. They have problems with the vacant properties being occupied sometimes by the homeless or gang members in some communities.

□ 2030

They have the thieves that are going in stripping out the copper. Weeds are growing up. There are dogs on the property, and so the neighborhoods are being driven down by the foreclosed properties, and the people who remain in the neighborhoods, who keep their properties up, are losing value, and that value is fast being lost on homes. And people are finding that their mortgages that they are paying far outweigh the real cost of that home now that the values have been driven down.

And so here we are in the Congress of the United States; what do we do? As you know, a number of ideas have come to the surface. BARNEY FRANK, who is the Chair of the Financial Services Committee, came up with another comprehensive bill, and in that bill they worked out an arrangement where the lenders, the bankers, would write down the property to 85 percent of value.

We've been working for months to strengthen the FHA, who found itself toothless when all these banks came into our cities with these fancy products that they had. They had what we call exotic products, the products with the teaser loan that says you need nothing or a little bit down, sign on the dotted line, 6 months from now, a year from now, it will reset, but don't worry, we'll refinance it. And people only find that they cannot refinance it and they're losing the homes.

And so we were supposed to come up with these bills and legislation to deal with it, and we find that the Senate side worked on this for quite some time. They agreed on some things. One of the things they agreed on was that they would indeed work with the lenders to write down the properties and have them refinanced by FHA which would now be strengthened, and this would keep people in their homes.

We don't know how all of that is going to work. We do know that if people get refinancing and they're able to stay in their homes, we hope that they're able to keep up on those payments because, if they don't, that debt will fall back on to the American taxpayer. And unless the FHA by way of its collection of certain kinds of rates are able to offset that, then that's another burden that we're going to have to be faced with. But it is a way by which we can begin to look at how we can perhaps give some help to the homeowner.

You know, I had a piece of legislation that was quite controversial because there was some people who did want to bail out the big boys, but they did not want to do anything for the little people and for the cities that are suffering. And my bill, as you know, is designed so that we have money that would go straight into those cities, working with nonprofits and others to grab those properties, rehabilitate those properties, put them back on the market for low- and moderate-income people to be able to afford.

Well, it got stuck for a while. I had $15 billion for the cities and the counties in that bill. It was scored at half that amount because 7.5 of that $15 billion was going to be in loans and 7.5 was going to be in grants.

Ms. KAPTUR. I congratulate you for that proposal. It is the only one I know that would stick to the wall locally. I know how hard Chairwoman WATERS has fought to even get this embedded in this legislation, and I have to say to the people here tonight, when you think about $1 trillion or more, a $15 billion proposal is very, very modest. Our community development dollars for the whole country I think total about $8 billion a year. It's very, very modest.

Frankly, I wish you well and hope that you can expand that significantly because Wall Street will be rewarded with a $1 trillion bailout, and yet we're going to give our mayors and local housing authorities pennies to deal with the level of foreclosure that is being experienced across this country. I would think they would roll out the red carpet for you in that committee and do everything they could to help you make this bill not just efficient but equitable, particularly to the American taxpayers who are going to bear the brunt of this cost.

Ms. WATERS. Well, you're absolutely correct, and certainly, we had our supporters. But I want to thank the Ohio delegation for weighing in on this bill and giving support to it. We had all of our community groups and organizations all over the country working hard, making calls, talking to Senators, talking to Members, putting stuff in the newspapers about this bill because they see this bill, too, as hope for the neighborhoods and the communities. And it would stop the cities from having to spend their precious general fund moneys and CDBG moneys to try and maintain and keep up of these properties for God knows how long.

And so you are right. This will bring some measure of help, and we've got to keep working at this to find out how we can do more.

One of the things that we know, the regulators dropped the ball. The regulators should have seen these exotic products. They should have known about these ARMs. They should have known about these no-documentation loans. They should have known about these loans resetting with margins of 2 to 3 and 4 percent above the interest rate once the reset takes place.

Someone gets into a loan for 5, 6 percent, when it resets now they're 10, 11 percent, and people who are paying mortgages of $950, maybe even $1,000 a month, now they're told their mortgage is $3,000, $3,500. It is unconscionable.

And I see you have a picture up there of some of the giants of the banking industry. You know, Countrywide is a real poster child for what went wrong in this mortgage market. Mr. Mozilo really does have to take credit for having done extraordinary business with these mortgages. Mr. Mozilo is one of those bankers and one of those companies where he got the license as the broker, and then he hired people who didn't have a license, who didn't have any training, and put them out on the street, and they were all over the place.

Everywhere you look, every town hall you go into, where people are coming, begging us for help, and we ask them about where they got their loans, invariably Countrywide is going to show up all over this country. And so, you know, we have criticized him, and we have said how is it Mr. Mozilo can create this kind of devastation, walk away with millions of dollars that he's taken out of this company, and how is it that Bank of America could end up buying this company for pennies on the dollar and not be afraid that with somehow all of this portfolio of bad debt that they are going to make it?

Well, I think that they know more than we know. I think that they know

more than we know, and we've got to get smarter. We've got to have regulators who are prepared to do the job that they are supposed to do in protecting the American consumer from these rip-off artists and from these people who would steal their futures and steal the futures of their children with these rip-off products and the way that they design for everybody to make money along the way and leave that American homeowner not only holding the bag but with nothing at the end of this terrible situation.

So I want to thank you. We've got to put a lot of time in on this. We're going to get some legislation out. Of course, we're going to get some legislation, and as you know, with the GSEs now in trouble, Fannie and Freddie, and the move to help them and to bail them out, to keep the whole economy from crashing on us, you better believe that we get a chance to get our little $4 billion in because it was put in on the Senate side.

But that's a drop in the bucket from what we're asking for and for what we need, but we must take this as a time when we never allow the American economy to be placed at risk because of a sub-prime crisis in the way that we are witnessing it now because we're going to be smarter. We're going to not only know what our regulators are supposed to be doing, we're going to provide the oversight for those regulators. We're going to unveil not only the schemes and the fancy products, but we want to know more about servicers, who they are and what they do.

Did you know that we have these banks with loss mitigation departments? Supposedly, if you're in trouble, you can call the bank and say I can't make my mortgage payment, I had a terrible illness and I had to pay out too much health money, and they're supposed to do kind of a workout with you to make sure they keep you in that home. Did you know that the people that they're talking to are offshore in India, in other countries, who are supposed to be responsible for loss mitigation activities for the banks? They have exported the loss mitigation departments offshore to foreigners who are talking to Americans about whether or not they can find a way for them to stay in their home.

Ms. KAPTUR. Frankly, thank you, Chairwoman WATERS, for coming to Ohio. You were an oasis in a desert. You gave us hope by coming there and listening to us and allowing our people to put their stories of our communities, of what's going on in this mortgage market on the record.

And what is really disheartening about all of this is it seems that the financial system is getting so far away from community, from neighborhood, from our people, our people feel powerless to make a difference, and now you say these services are even over in India. Frankly, I had trouble with all this stuff moving to Wall Street and not being able to get a phone call returned when we're trying to do a workout at the local level.

We need to turn this financial system upside down, and I'm hoping that the chairman of the full committee is listening in this House and that whatever we do to bail out Fannie Mae, Freddie Mac, these investment banks on Wall Street—and I have some problems with doing that. I'm not a happy traveler in this party here—that power devolves back to the local level, that however this financial system is rearranged, that we go back to character, collateral, and collectibility, the old principles when we had a system that functioned well at the local level, and reempower communities to handle their housing systems.

This system we have now has given us a multi-trillion dollar disaster. How can anybody say when you move away from home, so far away, how can that be good, when our people feel powerless to make a difference? Our mayors feel powerless. Our communities, our credit unions, the Realtors, how can this system be good when it so disempowers?

Ms. WATERS. If the gentlelady will yield for just a moment, wouldn't it be great to have community bankers in the community that you can talk to, people who hold your mortgage, that you can go and talk about what is happening, if you get in trouble, and they can work with you, but no, you know, they package all of these loans and securitize them. Wall Street invested in them, and the people can't get in touch with anybody. Now it's with a dispassionate servicer who has the ability to foreclose on your house, who could do a workout, but they make money. They make money by servicing and collecting the fees, the fees, the fees and more fees that's placed on top of these mortgages.

So I, too, yearn for the community banker.

Ms. KAPTUR. I would say to the chairwoman, you mentioned about what happened to regulation, and one of the first institutions to embark on sub-prime lending was Superior Bank of Hinsdale, Illinois, ultimately bought by Charter Bank from Ohio. And Superior was created by the Resolution Trust Corporation when the savings and loans collapsed in the 1980s, but by the late 1990s, Superior's return on assets—now, think about this—was 7½ times the industry average and held a very risky portfolio. It had a CAMEL rating of two, and yet its executives were financially rewarded for presiding over ruin.

How could America let that happen? No Federal regulator stepped in to properly examine the industry institution. What happened to the Office of Thrift Supervision over at Treasury and its Chicago office?

Ms. WATERS. They turned a blind eye.

Ms. KAPTUR. They closed their eyes, and it wasn't until 2001, because this was one of the leading institutions to invent the sub-prime instrument when they collapsed, and they couldn't meet the calls of people coming in for their money, that FDIC started investigating and placed the largest fine in American history, $450 million, a half a billion dollars, on one institution. Where is the investigation now?

□ 2045

You read a little bit about what the FBI is doing; you read a little bit about what FDIC is doing. We need a massive investigation of which institutions led us into this subprime crisis that the country is facing. Who was the first one? I've asked everybody, who was the first one? Give me the first three or four. And through which institutions did they broker those loans and how did they get to Wall Street? Nobody knows. Nobody knows; or else they're not saying.

Where was the Office of Thrift Supervision? What happened to HUD's appraisal and underwriting standards? Assuming many of these loans were moved to market through Freddie Mac and Fannie Mae, why did their regulatory standards and HUD's oversight fall short? Why did HUD change its appraisal and underwriting practices in 1993 and 1994?

How were the boards and executives in these entities compensated during those years when the risky practices proliferated? Because it isn't just these fellows, it's the people in the regulatory agencies and the government secondary market enterprises that were involved. Which board members at which financial institutions and brokerages, regulators and secondary market bodies voted to allow these risky and predatory policies that escalated this equity drawdown? Do we have evidence that any of those board members personally benefited from their board decisions?

Through which domestic and international institutions were the original securitizations first moved? Which persons did it? Which regulatory agencies sanctioned the process? What role did the U.S. Secretary of the Treasury and the Office of Thrift Supervision play—the Securities and Exchange Commission, how about the Federal Reserve—in allowing these practices to flourish?

I say to the chairwoman, I know the great work that you have done. There should be many committees in this institution involved in unraveling what has happened before we're asked to do a trillion dollar bailout here in the Congress of the United States.

You know, it's sort of interesting to me that even the New York Times editorialized that we've got to do this right now; you Congress, you pass a trillion dollars more—or who knows how much—because these institutions are too big to fail. And therefore, we can't do due diligence; we can't make good decisions for the American people. I can't even tell my constituents today—I hope I can find out by Thursday or Friday or Saturday this week—what exactly is in the bill that is being

written somewhere here so that I can see exactly how much money has to be appropriated and how big the drawdown will be from the Federal Reserve. Right now we don't know. There isn't a final bill that is available to the Members. I know it's being worked on somewhere in this place. I hope that there is a regular markup session by the respective committees that have to be involved here and an open rules process.

Ms. WATERS. Will the gentlelady yield for a moment?

Ms. KAPTUR. I would be pleased to yield to the chairwoman.

Ms. WATERS. We have not seen the final version of the bill, but today, in a discussion, one of the things that did interest me that I'm looking forward to seeing is that we are strengthening the oversight on the GSEs with OFHEO, the regulatory agency that has now been designed just to take care of these government enterprises.

But also what has been represented to us is that the investors will not be able to make any money off of this bailout; that GSEs, as you know, get input, they get money from investors and they go out to the market to get money. And so if we are going to allow them to go to the discount wonder at the Fed and to be invested in by Treasury Department, that we will be number one in line for the repayment. And the CEOs cannot get the big salaries that they have gotten in the past, that there will be a limit to what they will be able to do.

And so I'm looking to see the language in the bill that's going to make sure that we're first in line to get paid back, that the investors don't get paid dividends off of our money that we're putting in there, and that the CEOs and the top management of the GSEs don't get the fancy bonuses and the high salaries that they've been getting.

Ms. KAPTUR. Well, Madam Chair, that is really good news. And I know that you have been the strongest voice in the committee to try to strengthen the bill. We from Ohio are doing everything possible to even make it stronger, and to make sure that the communities that have been ravaged by this subprime crisis—and I include my own among them—that somehow that those who are in the lead in these various committees in the House here think about democratic capitalism, and not just empowering Wall Street, but thinking of ways to move the billions, hundreds of billions of dollars of insurance that will benefit the bond houses that helped get us in this mess in the first place, think about the bonding power of cities, think about the bonding power of our housing authorities at the local level, think about how to move some of that money to re-empower communities across this country, not just a pittance, but at least have a scale of justice. If you're going to reward Wall Street, the wrongdoers who helped get us in this mess, what are you going to do for Main Street that's paying the bill? Are you going to give them a pittance?

I come from a tradition in a party with Franklin Roosevelt who believed you empower at the grass roots level and that you build wealth from the bottom up, not reward the top. And I would hope that there would be balance in the bill that is brought before us as we move into this debate. And I would hope there would be a chance at least to offer amendments, at least to be welcomed into the committee. We don't want to delay the process, but that if we have ideas, we have the respect that should be given to Members who come from affected communities and States.

And I want to thank Chairwoman WATERS for her gracious acceptance of the invitation of the bipartisan delegation from Ohio. We feel, as so many people do, very frustrated by how slow the wheels of government sometimes turn and what is happening out there in community after community, where people are not able to do their workouts. I would hope that the chairman of the full committee here in the House, Mr. FRANK, who has been meeting with some of the Members and been very involved in the committee, I hope that he would share his draft bill ahead of time because I think it would be disastrous—and I speak only for myself when I say this—if a bill is rushed to the floor and we don't have a chance to review it. This is too important.

When we're talking $100 million, that's a lot of money. A billion dollars is a lot of money. When you get into the trillions, it's overwhelming. And we are here to do due diligence for our people, so please afford us the respect and the consideration that you would want for yourself, and that we actually have a responsibility for that due diligence for the American people, the people that sent us here.

Madam Chairman, I want to submit for the RECORD a story from the Wall Street Journal about the influence of outside giving from Wall Street to Federal elections and the important role, unfortunately, that it plays sometimes in influencing opinion. I think it's very important that it be placed on the RECORD as well. And I thank the gentlewoman from California for joining us this evening.

Ms. WATERS. Thank you.

[From the Wall Street Journal, Jan. 23, 2008]

WALLETS OPEN UP ON WALL STREET

(By Brody Mullins)

Despite Wall Street's recent woes, people who work in the financial industry continue to dig deep for political donations to Republican and Democratic candidates for president.

Employees of Wall Street firms are the single largest source of campaign cash, accounting for a total of $50.4 million in financial contributions to the candidates so far this election cycle. That is more than any other industry sector, according to a Wall Street Journal analysis of campaign-finance data compiled by the nonpartisan Center for Responsive Politics.

As candidates load up for advertising blitzes before ''Super Tuesday'' primaries on Feb. 5, candidates from both parties are again coming to New York seeking campaign donations. Sen. John McCain, the Arizona Republican, had a fund-raiser at the St. Regis Hotel last night that was hosted by Merrill Lynch & Co. Chief Executive John Thain, private-equity giant Henry Kravis of Kohlberg Kravis Roberts & Co. and former Goldman Sachs Group Inc. Chairman John Whitehead.

Mr. McCain recently spent $1 million on advertising ahead of the Florida primary next Tuesday. Voters in more than 20 states, including California and New York, go to the polls Feb. 5.

New York Sen. Hillary Clinton heads to her home state tomorrow for two fund-raisers. The Clinton campaign hopes to raise $15 million through these and other means to fund her campaign through Feb. 5.

Contributions from Wall Street have favored Republicans, who have collected 54% of donations from financial companies. Wall Street is the No. 1 source of donations to every major presidential candidate in both parties, except former North Carolina Democratic Sen. John Edwards, who is favored by the legal industry, according to the data.

Lawyers and lobbyists are the second-largest source of contributions to the candidates, with $34.8 million in donations. Together, the finance and legal industries are responsible for nearly a quarter of the $354 million donated to the presidential candidates as of Sept. 30. The next round of campaign-finance information, covering the three-month period ending Dec. 31, will be released at the end of the month.

Employees of financial firms, lawyers and lobbyists make up 46% of all large donations—contributions of $200 or more—to the presidential candidates. Each of the other industry sectors is responsible for just a fraction of the donations to the candidates.

According to the data, people who work in Hollywood, communications or electronics rank a distant third with $13.3 million in donations to the candidates. Other top sources of donations were employees of the health-care industry with $9.5 million, construction with $6.1 million and energy with $3.1 million. People who work in the defense industry gave $502,000, according to the data.

Not surprisingly, the two candidates from New York are winning the race for donations on Wall Street. Mrs. Clinton and former New York City Republican Mayor Rudy Giuliani lead with $12.3 million and $10.6 million, respectively, in campaign donations from employees of Wall Street firms.

Employees of Goldman Sachs, Lehman Brothers Holdings Inc. and Morgan Stanley rank as the top individual sources of donations to the presidential candidates, according to the data.

Goldman employees were the largest contributor to Mr. Obama, the second-largest giver to Mrs. Clinton and the fifth-largest to Mr. Edwards. Goldman employees donated $369,000 to Mr. Obama and $350,000 to Mrs. Clinton.

Other top Wall Street givers to Mr. Obama include employees of Lehman Brothers ($229,000), J.P. Morgan Chase & Co. ($217,000) and Citigroup Inc. ($181,000).

The top seven companies that have produced the most money for Mr. Giuliani are all financial firms, including Ernst & Young LLP, hedge fund Elliott Management and Credit Suisse Group.

Former Massachusetts Gov. Mitt Romney also has fared well on Wall Street. A founder of Bain Capital, Mr. Romney has scored with employees of Goldman Sachs, Merrill Lynch and Morgan Stanley. Employees of his former company have donated $112,000 to his campaign, according to the data.

Unlike Wall Street, lawyers heavily favor Democrats with their political donations.

Lawyers have donated $9.6 million to Mrs. Clinton, $8.2 million to Mr. Edwards and $7.9 million to Mr. Obama.

Mr. Giuliani, a former prosecutor and partner with Bracewell & Giuliani LLP, raised $3.2 million from others in his profession. That was more than any other Republican but less than half as much as the leading Democratic candidates.

Pennsylvania-based law firm Blank Rome LLP was the top source of donations to Mr. McCain, who collected $141,000 from employees of the firm. Mr. McCain fared well with employees of Greenberg Traurig LLP, a Miami firm that ranks as his third-largest contributor. As the chairman of the Senate Indian Affairs Committee, Mr. McCain took the lead in investigating convicted lobbyist Jack Abramoff, who was a lobbyist with Greenberg Traurig.

Mr. McCain and Mrs. Clinton led all others with donations from lobbyists. Mrs. Clinton collected $568,000 from lobbyists, while Mr. McCain has $340,000.

ENERGY

The SPEAKER pro tempore (Mr. DONNELLY). Under the Speaker's announced policy of January 18, 2007, the gentleman from Georgia (Mr. WESTMORELAND) is recognized for 60 minutes as the designee of the minority leader.

Mr. WESTMORELAND. Mr. Speaker, it's good to be here tonight. And we're going to talk a little bit about what is on most people in this country's mind, and that's the price of gas, and the price of energy in general.

We're going to be talking about gas tonight and the expense that it takes for American families to go on vacation, just go to work, even go to the store, Mr. Speaker. And so I know that's at the forefront of most Americans' minds today.

Let me just start out by saying that what we want to do tonight, Mr. Speaker, is just point out a few things that may be not consistent with what's coming out of the majority's side about what we're doing about gas prices and what can be done about the price of gasoline now. And we've heard everything from, well, it will take 22 years to get any oil that's in the ground now, that's in our Outer Continental Shelf or in our national lands to the market. And that's not true. And so we're going to talk a little bit about that tonight. And I'm joined by friends of mine, the gentleman from New Jersey and the gentleman from Illinois, and we're going to share some of those things.

But first of all, Mr. Speaker, let me explain that about, I guess, a month ago I was approached by constituents in my district, and they were talking to me about petitions, and petitions that were on the Internet, calling and asking me if I had signed petitions. Some of them were ''increase domestic oil drilling,'' which American Solutions had, some are ''gas tax holiday'' that presidential candidate Senator MCCAIN had, ''develop alternative energy sources,'' which is Energypetition.com.

And then there were petitions against drilling in ANWR. Democratic Senator BARBARA BOXER from California had one, and Mr. Speaker, the Sierra Club, Green Peace. There were different petitions. There was actually a ''cap oil company profits by new government regulations.'' There are some people in the majority that believe that we can actually regulate our way out of this energy crisis, so one of those was Moveon.org.

After talking to my constituents about all these different petitions—and they were calling me and asking me if I had signed, they were going to these web pages and either signing or voicing their protest—I was at a service station at home and there was another petition there and it said, ''sign this petition if you want to lower gas prices.'' And I'm assuming that the proprietor of that station was doing that to give people something to do when they were paying for their gas rather than fuss at him. But what it brought to mind is we, in this body, Mr. Speaker, are beginning to see how our constituents feel about this.

I know today we were at a press conference where American Solutions presented the minority leader in the House and in the Senate with a petition. And I think later on—I don't know whether it's this week or next week—they're going to present this same petition to the majority leader in both the House and the Senate, it may be even Mr. REID in the Senate and Speaker PELOSI here in the House.

But what I decided to do was to come up with a petition so our constituents would know how the Members in this body—the 435 Members that are elected to be voting Members, the seven delegates from the American territories here—I decided that, you know, it would be good for those constituents to be able to see how their representative felt about increasing our oil production to lower the gas prices because that's one of the things that is going to help us. And it's more of an ''all of the above,'' but one of the key ingredients is just voting or having a vote that we could increase our oil productions, whether that's shale oil, oil coming from biomass—which is a new technology that's coming out today—whether it's drilling in the Outer Continental Shelf, drilling on Federal lands, drilling in ANWR, whatever the case may be. So I came up with a simple petition, and it says, ''American energy solutions for lower gas prices: Bring onshore oil online, bring deepwater oil online, and bring new refineries online.''

And, Mr. Speaker, a lot of people may not realize that we have not built a refinery in about 30 years in this country. And even some of the refineries that are online today produce diesel that has to be exported because it does not meet the new sulfur limits that we have put on some of the diesel fuel that's used in this country. And so I came up with this, and then I made a simple petition, Mr. Speaker.

And I think this petition is probably just too simple for some of the people in this body because it's not a piece of legislation, it is simply a statement, Mr. Speaker, to the people that they represent to let those people know how they feel about increasing U.S. oil production. And it simply says, ''I will vote to increase U.S. oil production to lower gas prices for Americans.'' And that's about as simple as you can get because I think that's what the American people, Mr. Speaker, want to see is that we're doing something, that we're taking some action.

You know, we have voted on several bills in probably the last 2 weeks, ''use it or lose it,'' which a lot of my colleagues from the majority side went home and told their constituents that this was a pro-drilling bill. Well, I disagree with that, it was not a pro-drilling bill; and it was actually very misleading in the fact of use it or lose it, and we'll go into that in just a minute.

But so far, Mr. Speaker, we've had 191 Members sign this. We've had eight Democrats, 183 Republicans that have signed it. Of course it takes 218 to do anything in this body.

□ 2100

But this is not a discharge petition. This is just a simple pledge, or not really a pledge. It's just a petition that people can sign to let their constituents know.

And what we have done to make it easy, Mr. Speaker, for people to realize or to understand if their representative has signed this is we set up a little Web page. It's www.house.gov/westmoreland. And on there we have people that have signed it, we have people that have refused to sign it, and then those that we have not talked to yet that have not signed. So, Mr. Speaker, I would encourage you, if you wanted to know how different Members in your delegation either signed or not signed and just for people would know that they could go to this Web site, www.house.gov/westmoreland, to find out.

And it's interesting because of some of the articles and press releases that I have been reading, I guess, for the last week or so, what we have got is we have got people going home saying one thing and then coming back to Washington and doing something else or not doing what they said they were going to do for the people that vote them into office. So I would hope that we could finally make people match their walk to their talk. So I think this is just an interesting tool that people can use to find out if their Congress person is matching the talk.

I yield to my friend from Illinois.

Mr. SHIMKUS. I want to thank my colleague for yielding, and I appreciate all the work he's doing to raise these issues.

I'm going to take a different tact tonight and respond to an e-mail that I got from a constituent in my district. And most of the e-mails we are getting are pretty angry about the high costs of fuel and energy. This one is asking

for answers and debating some of our points; so if I might, and it's an e-mail that I usually don't get very much because he claims he's a tree-hugging constituent of mine. So I want to take this time.

He says: ''There has to be a better way to go than this. I would rather pay more at the pump than risk poisoning the oceans and nature preserves up north any further with additional drilling.'' I want to address two of those points.

There are people who are willing to pay more. But there are people in this country, the poor, the middle class, the lower middle class, who can't afford to pay more, and that's what is frustrating in part about this debate. We know that there are people who, because they are very wealthy, live in splendid homes, can afford to pay whatever the price to bear. But we know in our congressional districts those people who are making tough decisions or families who used to be able to travel away to their kids' sporting events and now have decided not to do that. So it's affecting everyday family life. So I get the point that some people can. I will tell you that the vast majority of Americans can't afford to pay more.

And the other issue I would like to address on this is when energy costs go up, costs for everything go up. This whole food/fuel debate is really a food/energy debate. When a kernel of corn gets planted and then gets harvested and goes through the process and then goes all the way to the grocery store, it's going to travel about 1,500 to 2,000 miles. Now double the cost of diesel fuel, and you could see the escalation of food prices. So although someone may be able to pay more at the pump, they are also paying more at the grocery store. They are actually paying more in taxes as we have to heat and electrify government buildings and all those processes. So I get the point that some people can pay more. The vast majority of Americans can't.

And I will tell you the ones in my district in rural America, I have got some very proud, independent, tough people who can get through anything, but they live in small counties away from major cities, and to get to work, to get the food, to get the health care, they have to drive long distances.

He also says: ''Wouldn't more funding for alternative fuels and infrastructure go a long way?'' And our response would be all of the above. We want that. But when people say let's just put more funding into these things, what that means is that if you're not finding a way to recover that revenue through oil and gas exploration, where does that new revenue come from? The new revenue to advance alternative fuels, the new revenue to increase infrastructure all will come on the backs of individual taxpayers. So now you're laying more energy costs on them; then you're laying more taxes on them; then you're getting to a point where, you know, this country was founded on tax revolt, taxation without representation, and these energy costs are a new tax burden on the middle class that they are revolting from, and they are looking to us for help.

I wanted to talk to him about the alternative fuel standard. Most of us know about the renewable fuel standard, talking about biofuels, ethanol. But we have numerous times come to this floor on the alternative fuel standard, and alternative brings in other types of fuels. You have a chart up there of the Outer Continental Shelf. If we were to bring on more supplies of natural gas, we could take that natural gas, turn it into liquid fuels, and that could be part of a new alternative fuel supply which is cleaner than conventional gasoline.

Many people know that I'm from Southern Illinois and I deal with coal. Taking coal and turning it into liquid fuel should qualify as an alternative fuel, not relying on imported crude oil, not exploration in the Outer Continental Shelf, not up in Alaska. It is right in the middle of our country, safe and sound from hurricanes, and if they would close the sea traffic, our own coal reserves would not be affected by that.

He ends up by saying that we should be working harder and smarter. And I think our position has been we do because what we want to do is we are not saying no. Our problem is this: This trend line from $23 to $58, when the Democrats came in, to $145 is not sustainable. I think that's accepted throughout this country, and I think it's public opinion.

So the question is what do you do about it? And you have offered a lot of options. And I like this. I have got the same chart here, the Outer Continental Shelf. We heard today that there is more pollution in the ocean and on the beaches based upon boaters and the normal seepage of oil and gas undersea than there is through oil and gas exploration. So, in fact, oil and gas exploration could take the pressure off the crude oil that's trying to seep to the top of the surface; so it could be at least helpful.

Then you get the revenue. This is working smarter. We get the revenue from the folks who are in the Outer Continental Shelf, and you take those dollars, and you move that into wind and solar and alternative fuel technologies, efficiency standards, plug-in hybrids. We're for all of the above, and when you go through all of the above, you're talking about American jobs.

GM announced a major layoff today, thousands of jobs. Why? High energy prices. Airlines are laying off thousands of jobs. Why? High energy prices.

Here is the coal-to-liquid provision, where we're talking about taking U.S. coal, building a coal-to-liquid refinery, refining that into a liquid fuel, putting it in a pipeline in the United States, taking it to our airports. We can produce jet fuel from coal. South Africa has done it for 50 years.

Finally, another option is the renewable fuels under attack. Biodiesel by soy or reformulated cooking oil, ethanol. Hopefully, we move to the cellulosic arena where we're out of the corn kernel and we move to really the trash of the trash. We can get there, and I say to my constituent who wrote, and I will probably reply with an e-mail, that we can get there by working harder and smarter using the great resources.

We are the only industrialized nation in the world where we see a natural resource and we say, ''Ah, an environmental hazard,'' instead of saying, wow, now we are placed in a strategic national advantage to compete against the world in manufacturing goods and services. We can take the royalties from that and we can help to decrease our reliance on imported crude oil.

That's the future we are working for. It's a future of job creation for all America. It keeps us competitive around the world. And the first start is to allow us to start recovering the oil and gas reserves in this great country.

I appreciate your leadership. I signed your petition. We're having a lot of fun helping to educate ourselves and to educate the American people, and I appreciate the time.

Mr. WESTMORELAND. I want to thank my friend from Illinois, and I want to just comment on a couple of things he said.

Those things that you proposed would create American jobs, good-paying jobs. Most of those refineries are union jobs, and these are jobs that are going out of the country right now because there's not enough work here. And building these pipelines, building the refineries, the oil rigs, the things to convert the coal to liquid, I mean these are American jobs and American money that are going overseas and out of this country. And we hear the majority complain all the time about our sending jobs out of the country. This is what we are doing. And not only that, for people who talk about our trade deficit, and I know my friend from Texas can talk about that, but these are all things that we need to take into account. And like my friend from Illinois said, this is an all of the above.

The other thing that that brings up is we know that the three energy bills that were brought to the floor were under suspension. Now, Mr. Speaker, you know what ''under suspension'' means. And just to explain a little bit, ''under suspension'' means that you have about 20 minutes of debate on each side, a total of 40 minutes, no amendments, and typically there hasn't been a hearing, a committee hearing. So while we are passing these bills, and, in my opinion, it's been putting lipstick on a pig because some of these things that we have passed are already the law, just not being enforced, and other things I don't really believe are helping, they are just political correctness that we are trying to do, but there has been no input from

the minority. A side that represents about 50 percent of the people in this country have no input into the process. So I know you would have some great input into the process if we could just be allowed to have an amendment on the floor. But for some reason, the majority is afraid to allow us to have a vote.

I want to read one thing that Speaker PELOSI said yesterday about using suspensions. She said, ''We are trying to get our job done around here, and we work very hard to build consensus. And when we get it, we like to just move forward with it, as we did on the Medicare bill,'' which is one of the largest expenditures we have had probably this year in this Congress that was done under suspension, ''as we did with the SPR bill, and the list goes on and on. But it is not about a tool. It's about the legislative process and how we get a job done.''

That legislative process that's being done in this House today is broken. And when the legislative process is broken, the product is flawed. And I think that's what we have seen because if you look at when Republicans took Congress, gas was $1.44 a gallon. When the Democrats took control, it was $2.10 a gallon. And now it's $4.11 a gallon. This is what you get from working with a broken process and doing political correctness over the people and using power and politics over doing what is right. So this is what you end up with.

□ 2115

And this is what the American people, Mr. Speaker, are complaining about and rightfully so. Because we have the ability to provide our own energy resources. But because of politics, we are being voted from even having discussions on this floor or taking a vote on anything that we believe would be both a short-term and a long-term.

I would like to recognize my colleague from Texas, Mr. CONAWAY.

Mr. CONAWAY. I thank the gentleman. And I'm glad he is hosting this hour tonight so that we may have an opportunity to have a bit of an exchange of ideas and dialogue on these energy issues.

One of the catchphrases that has become popular among the uninformed is the ''use it or lose it'' phrase which trivializes an incredibly complex process. It trivializes the importance of an energy policy in this country and tries to reduce, as I said, a complex issue to a bumper sticker. It is demeaning to those in the business. And it demonstrates a fundamental lack of understanding of exactly how the process works.

The idea is that oil companies in these United States, including major oil companies, are somehow warehousing good drillable prospects in the hopes that crude oil will go higher than it already is. Well $140 plus a barrel is plenty of incentive to drill almost everything in these United States. I want to walk you through a brief description of some of the things that go on in the development of a prospect, the drilling of a prospect and bringing crude oil to the market.

Now this applies onshore and offshore. The onshore processes are a little quicker because the infrastructure is already in place. The offshore is staggeringly more expensive than the onshore. And it takes a longer time.

The first thing you have to have is an idea of where you think oil and gas might be. You can't just willy-nilly drill in the United States offshore, or anywhere in the world, and expect to find crude oil or natural gas. You have to have a reasonably scientific guess as to where crude oil or natural gas might have occurred. You base that guess on other production in the area. You base that guess on the geologic history of that particular spot in the world. But you have to have some sort of an idea that there might be oil and gas in that place.

Once you come up with that idea, you do some preliminary geological work trying to map what that subsurface structure might look like under where you're trying to drill. You may be able to do some preliminary geophysical work in that process to get this idea to a point where you're willing to invest thousands, hundreds of thousands and millions of dollars. And with respect to offshore, it's billions of dollars of shareholder capital, your money or the bank's money, depending on how you have financed this particular idea.

So you have the idea. You have done the preliminary work. And you say, all right, here is an area where I think there is oil and gas. I need to make a deal, a trade, with the people who own the minerals under that dirt. Now the United States is one of the few countries in the world where individuals own minerals on their property. The government owns a lot of property. It owns those minerals. Private citizens own a lot of property. And they own those minerals, or they have sold those minerals or detached them from the surface rights. But somebody owns those minerals. You have to find all those people. And depending on the size of the block of acreage that you're wanting to put together, it could be one owner. It could be hundreds of owners that you have to make a deal with. So you go through that process.

You finally come to a lease term. Let's do an easy one. The Federal Government owns all the minerals, has all the surface and you have one owner to deal with. You negotiate that opportunity with the Federal Government. The Federal Government then puts the leases out for bid across anybody who wants to bid. Well you have the idea in mind. You think you have nominated that prospect, that acreage for drilling. So you put your bid in. You win that bid. You negotiate that lease. You pay your upfront lease bonus money for the right to then begin spending some really big dollars on trying to find out what that's done.

Now let me talk a little bit about that lease, because this speaks to the ''use it or lose it'' nonsense that is currently permeating the debate in this House. This lease is a legal contract between the lessor, the landowner, in this instance the Federal Government, and the lessee. It has specific terms that the lessee has to abide by. One of those terms, of course, is a lease bonus payment typically based on the number of acres. So you put that money up front. It will have a fixed term. Onshore non-Federal lands, it could be 3 years, it could be 5 years. Offshore it's generally 10 years just because of the timeline that my friend will show us here in a minute that it takes to move from point A to point B, selling the crude oil or natural gas off that. So there's a fixed term that you have paid upfront money to. You have the right to explore all of that acreage for the term, for the primary term of that lease.

Now while you're exploring and not producing, you will have to pay annually delay rentals of some negotiated amount just to maintain your position in that lease. Once you have gone beyond that primary term, many leases, most leases, will have what is referred to as a continuous development clause in that you have to continue drilling wells, producing wells, at a fixed rate over some period of time in order to keep the acreage that you have not developed.

If you decide that you have drilled all you want to, then the acreage that is outside your production unit, when you drill an oil well or a gas well, in Texas it's the Railroad Commission that will assign a spacing unit. Oil wells are typically 40 or 80 acres. Gas wells could be 160 or 640 depending on the depth. That is the aerial extent of the land that they think that one well will drain efficiently.

So any acreage outside of that production unit after the primary term, and once you have quit meeting your continuous development clauses, reverts back to the original owner. So if I have leased a 5,000-acre tract from the Federal Government, I've done all the G and G work, drilled it, found production and I know exactly where it is, I don't think the rest of that acreage is worth drilling, then once that primary term of that lease expires, all of that acreage under the terms of the written contract goes back to the Federal Government and can be leased by someone else throughout the process.

Now you say, well, why would you let that acreage go once you have made that decision that you're not going to drill it? Well, A, you have invested a per acre bonus in all of that acreage, B, someone else may come up with the idea that they think there is oil and gas under that. Even though you don't, they may think there is oil and gas under that. You have paid your upfront bonus money. It's your property to deal with during that time frame under

the terms of your lease. So somebody comes to you and says, I think there's oil under this piece of property. You have got the control of the minerals. You don't own them outright. You have them leased. Can I do a deal with you so that I will drill it? That is called a ''farmout.'' I will farm out that acreage and then you put your risk dollars up so I don't release that acreage when it's under the primary term because I have paid for it. I will keep it through the end of the lease. I am making the delay drill payments. Somebody else may have a better idea that there is oil under that place. There is a serendipity kind of thing. You never know when that happens.

Once you have the lease in place, you then begin the complex G and G work that is on the property. Offshore or onshore, you will do additional geological work. You will shoot seismic perhaps, you will evaluate that seismic on 2–D, 3–D, go through a lot of work. In the meantime, while that is going on, you also begin the permitting process that on Federal leases is quite extensive. There are some 29 agencies that may get involved in your ability to drill on the lease that you have already paid for. You have to get EPA permission. You have to get Bureau of Land Management permission. You have to get drilling permits. There are all kinds of things that you have to go on. And all of that takes time. It obviously cannot be done instantly, because some of these permits are piggy-backed. You have to get one before you get the other. Some of them you run concurrently. And all of that work is going on while you are trying to pick the spot you want to drill that first well.

Once you have the permitting in place and you have a reasonable idea of when you can start drilling, you then go through the process of negotiating all those contracts to drill the well. You'll have a contract with the drilling contractor for the rig. You'll have contracts to buy mud. You'll have contracts for logging, other services, casing, equipment, all those kinds of things. You have to get all that gathered up and moving toward your location. Now onshore it's a little easier than offshore but nevertheless, the process is still the same.

You then put your rig up. You set up the rig or rig it up, and you drill your hole. And if you're lucky, one in six wildcat wells will discover oil. There is a little better percentage than that on development wells. But you will then go through the completion process. Once you have got it completed, you will build out the surface facilities, tank batteries, flow lines, all those kinds of things in order to move your product, either gas or crude oil, from that well site into a market.

At that point, you also have to negotiate a contract to sell the product. Now, crude oil is a pretty quick contract. They are very standard. And the product has got a certain quality, and you sell it. Natural gas, on the other hand, is a little different animal. And the contract negotiations for natural gas take a lot longer.

Once you have got the contracts negotiated and you have all the permissions to drive and do everything you've got, now you're ready to sell that first barrel of crude oil or that first Mcf of gas. And the length of time that can take varies. There's not a standard that you go by, because every single deal is different. Onshore is different from offshore. All the offshore deals are incredibly different than the onshore.

Mr. WESTMORELAND. If I could reclaim my time for 1 minute, could you comment on I believe it's the Atlantis platform and how many years it took and how many barrels a day it's now producing?

Mr. CONAWAY. Yes. In the Gulf of Mexico there is a production platform, a drilling platform, a production platform and a crew quarters platform called Atlantis. It is about 150 miles offshore in the Gulf of Mexico. I don't know if it's technically in Louisiana or Texas. It's 150 miles offshore. It's in 7,000 feet of water. So you have 7,000 feet of water before you hit the seabed. And they have drilled 13,000 feet once they've reached the seabed. So it's about a 20,000-foot well that they have drilled and they have I think five producing wells. This will produce about 150,000 barrels a day. It's rated for 200,000 barrels. Billions and billions of dollars are invested in this floating monstrosity that sits in the Gulf of Mexico and produces crude oil and natural gas. It's an incredible amount of investment. Now if you have invested in Atlantis or if you have invested in a prospect onshore, you get no return on your dollar. You get nothing back from your investment until you sell crude oil and natural gas. And therein lies the misunderstanding by some of our colleagues on the other side of the aisle. There is no juice in sitting on production. At $140 a barrel, the only way I get my money back out of the investment I have got in this well is if I sell crude oil and natural gas. So I have no incentive to sit on it for any reason because there's no way for me to get money back out of my investment. So there are plenty of good business reasons why the oil and gas is being produced in a commercial properly developed manner.

Mr. WESTMORELAND. But they started the process in 1985.

Mr. CONAWAY. Yes, in the time line. Leases were obtained in 1995. You walk through the step, the first production was September of 2007. The ship was commissioned for full operations in December of 2007, so 12 years of activity that went on in investment, more importantly dollars invested because they had to pay for the building of that platform. The folks who built it didn't say, okay, when you start producing crude oil, you can pay for it at that point in time. They wanted their money up front. And so only major oil companies have the resources to be able to drill in 7,000 feet of water. The technical aspects of drilling like that, many of them had to be developed on the fly because they didn't know how to do it. Bottom hull temperatures at 20,000 feet are very high. And the ability to maintain casing, maintain well, maintain the down hole structures, they had to figure that out, because no one else had ever done it in the world. So being able to do that is technically very, very complicated.

Mr. WESTMORELAND. And they are doing it in an environmentally safe way? There's been no spill or leakage or anything?

Mr. CONAWAY. Absolutely. Absolutely.

Mr. WESTMORELAND. Just reclaiming my time 1 minute. I would like you to explain just very briefly about the Dallas-Fort Worth airport, DFW, and the fact that this was State-owned property versus Federal property and how quickly that oil was produced out of that site. If you could just touch on that very briefly.

Mr. CONAWAY. Sure. The Dallas-Fort Worth airport is a large facility in between Dallas and Fort Worth. Underlying all of that airport is a formation called the Barnett Shale. Barnett Shale is a gas-bearing formation that the industry has known about for a long, long time. It was not commercially producible on a vertical well bore because the formation would not give up enough gas on a vertical structure in order to be able to make your money back out of what it took you to drill that well. Someone had an idea and said, what if we drill the Barnett Shale horizontally, you know, go down 8,000 feet, and then drill a leg out 3,500 feet to 6,000 feet? I wonder what that would do? They did that. And all of a sudden, they got a commercial gas well.

The estimates are for the Barnett Shale, which is very extensive from the middle of between Dallas and Fort Worth, just north of that area, all the way down toward Waco and out toward Abilene. They don't have the extent of where it's commercially producible at this point in time. But current guesses are that it's 26 trillion cubic feet of natural gas in the Barnett Shale. This is a gas plate that has been there and been known for 50 plus years, maybe even longer than that. But it's only been recently that they have developed it.

Dallas airport sits over the Barnett Shale. So Chesapeake went through the airport authority and said, we want to drill. We want to negotiate those leases. My recollection is they negotiated the lease in 2003 and paid the upfront bonus of $186 million to drill.

□ 2130

They will drill 303 wells on Dallas airport property. They will use 52 pads to drill those 303 wells, and so obviously each pad will have multiple wells. The royalties will go to the airport. First production began in 2005, and they are now continuing to drill.

Mr. WESTMORELAND. So 2 years on State property versus 12 years on Federal land.

Mr. CONAWAY. To be fair, doing things offshore, 150 miles from shore, is technically much tougher than it is doing it in the heart of an oil-and-gas region like Fort Worth is. So there is a natural difference in time. Some of it has to do with the permitting and all of the other stuff that goes on. But also, it is tougher to drill 150 miles offshore where everything has to be brought out there.

Mr. WESTMORELAND. But there is still a permitting process that I want to talk about. And the very fact when we hear the other side say that it will take 22 years to get anything out of these wells, you are talking about 2 years to get natural gas.

Mr. Speaker, let me say that natural gas was about $6.60 a thousand cubic feet last year, and it is about $12 this year. So while we have a lot of Americans feeling the pain at the pump this winter, they are certainly going to feel the pain at home.

I want to point out that this chart takes in the leasing process. And this purple area right here is the preleasing process. The orange is the leasing process, and then the blue is the notice of staking and the green is the application to drill. This is on Federal on shore oil and gas leasing and permitting process. Every time you see one of these red dots here, this is a point of entry for legal action.

And so you can see that this process is a lengthy process. When the majority talks about 68 million acres in the use or lose it, last night as we had an opportunity, Mr. Speaker, to go back and forth for 2 hours with the majority, I think that they admitted that that 68 million acres that they are claiming, and we don't know, Mr. Speaker, where that 68 million figure came from because that was done not by the Bureau of Land Management and Forest Service but by a committee report from the majority in the Resources Committee. So we don't even know how they came up with the 68 million acres.

But the point is that 68 million acres is somewhere in this process. It is somewhere in this process. So the use it or lose it is a very, very misleading statement.

I would like to recognize my friend from Texas.

Mr. CONAWAY. That use it or lose it is like telling General Motors you can only build one car at a time before you can start to build another car.

Oil and gas companies, much like manufacturing companies, have a work-in-process scheme that includes all of these steps. They could have multiple number of prospects in their inventory that they are working diligently on to make that happen. So this use it or lose it phrase, in addition to being demeaning to the process and to the industry, is wrongheaded at best.

Mr. WESTMORELAND. I want to thank the gentleman from Texas.

I yield to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. I appreciate the gentleman yielding to me, and also appreciate the gentleman for heading up this special order tonight to once again point a finger and a focus on the importance of the discussion of energy. And more important than that, to actually move some legislation through this House before we go into a recess during the August break.

I will be brief because other colleagues would like to speak.

I come, as I said, from the State of New Jersey. This past week I had an opportunity to be on some forums with some of my colleagues from the other side of the aisle where this was an issue that was discussed. One of the points that I made, coming from the State of New Jersey, is just how important it really is that Congress do something with regard to energy and the high price of energy production and supply in this country.

Let me give you a few statistics from an independent source describing the State of New Jersey and our costs of energy. New Jersey consumes 3.4 percent of the Nation's energy. That is 13 percent greater than what the State's share should be based on the State's share of the Nation's population and employment. And that is possibly because New Jersey is one of the most densely populated States. It has been a manufacturing State and otherwise, and for that reason we do draw a high amount of energy for our State.

Currently the State of New Jersey spends nearly $130 million annually on energy for its various State facilities alone, not talking about private and everything else out there.

Furthermore, an economic survey points out that New Jersey business owners reported that many are concerned, and this is obvious, over rising energy prices. Forty percent of business owners state that over the next 6 months, higher energy costs will have the greatest impact on their business, up sharply from around 20 percent last fall. And because of the higher cost of energy, 43 percent of New Jersey business owners plan to pass along that portion of the cost in the form of higher selling prices to their customers, up from around 30 percent last fall.

So that means on top of the fact that we in New Jersey are paying more at the pump, and on top of the fact that home heating costs will go up dramatically in the area of fuel oil. As a matter of fact, the statistics on that are that New Jersey relies more heavily on petroleum and natural gas for home heating, with 86 percent of single-family homes heated by natural gas and oil compared to the national average of 68 percent.

I raise that point to point out that in my little forums that I was on with other Members from the other side of the aisle, they said, look, we really can't drill our way out of this. Petroleum is not the solution. Natural gas is not the solution. Conservation and alternative fuels are the solution. Well, I half agree with them. I half agree with them because yes, conservation is certainly one of the solutions; and alternative fuels is certainly the other solution. But it is really a three-legged stool as opposed to a two-legged stool, and that third leg of the stool is additional production of energy here at home in America.

Why this is a controversial topic in the State of New Jersey is because we are a coastal State. I enjoy the New Jersey shore as much as the next guy from New Jersey; and hopefully I will have some time to enjoy the Jersey shore sometime during this August break. But while you sit on the Jersey shore, and this is something that the gentleman from the other side of the aisle whose name shall remain nameless at this point, was factually incorrect about.

As you sit on the Jersey shore, if we are successful as Republicans in this House, and that is to pass legislation as the President has just lifted his executive order just 48 hours ago to allow for drilling on the Outer Continental Shelf, which means deep-sea exploration, and I always say offshore is a misnomer because offshore means you are sitting on the shore and actually seeing it. And that is what my colleague on the other side of the aisle said. He said if we build these rigs, you will be sitting on the shore enjoying your pretzel and your soda and seeing them. That is factually incorrect.

Every piece of legislation that I have supported, and I know the gentleman from Georgia has also supported, has said that we will be doing deep sea exploration, using 21st century technology in the most prudent and environmentally sensitive manner as you can possibly do, and they will be, at the minimum 50 miles, and a maximum up to 200 miles offshore. We all know that if you sit on the Jersey shore, you can't see any further than 20 miles out to sea because of the curvature of the earth. The bottom line is whatever we pass here, it will not be seeable from the Jersey shore. It will not have that detrimental effect on the shore nor on one of our biggest industries, which is tourism in the State of New Jersey.

So I am proud to be one of the few Members of this House from the New Jersey delegation to say that we must do everything possible to bring down the cost of energy for our small businesses, our industry, and our homeowners, for the price of gas in the summer and home heating fuel in the winter, and we must do that by conservation, alternative fuels, and more production of American energy here at home as well.

Mr. WESTMORELAND. I thank my friend from New Jersey, and he is the only member of the New Jersey delegation who has signed a petition that says ''I want to lower gas prices for Americans.''

It is now my honor to let my colleague from Georgia, Dr. GINGREY, have some time.

Mr. GINGREY. I appreciate the gentleman yielding to me.

Mr. Speaker, I want to follow-on to what my colleague from New Jersey just said. The gentleman from New Jersey was just talking about the need in the northeast and how important it is to homeowners, particularly during the winter season, the cold season, in regard to fuel oil. So many homes, as he pointed out, in that part of the country are disproportionately heated by natural gas and fuel oil.

He talked about the fact that these coastal States along the eastern seaboard, not just New Jersey, but Massachusetts as well, have been in opposition to opening up the Outer Continental Shelf because of all of these environmental concerns and the fact that you are going to spoil the view. As our colleague so rightly pointed out, you can't see oil rigs 20, 50 and indeed even 150 miles offshore, as my colleagues from Georgia and Texas pointed out earlier in regard to the oil rigs in the Gulf of Mexico.

But here is the thing that I want to point out to my colleagues, the folly of what the Democratic majority is presenting to this House tomorrow. Tomorrow, under a rule, a regular bill, they are going to bring up this issue of the Taunton River in Fall River, Massachusetts.

They want to designate this river, and I hope my colleagues can see this poster and see how industrialized and busy and developed the shoreline of I think at least 8 miles of this 20-mile river already is, and they want to make this designation of a Wild and Scenic River.

Now they should have done that 50 years ago, maybe 100 years ago when this river may have been wild and scenic. You can look at it today, and it is anything but scenic. It may be wild, but it is certainly not scenic.

But guess what, it allows them with this designation to deny the siting of a liquefied natural gas plant. And so that means that these tankers with liquefied natural gas that the northeast desperately needs to heat those homes in the winter time, to bring relief to those homeowners who are really struggling. What will they do? They will pass this bill. That means there can be no liquefied natural gas terminals along that entire river, and then I guess the Democratic majority will come back and put more money into the LIHEAP program so people can afford to pay their bills. It is absolutely ridiculous.

I have another poster that I want to show because I think what we are talking about here tonight, when you cut right to the chase, is that the Democratic majority are creating all of these paper tigers. And this business about use it or lose it, I'm not going to comment on that because, thank goodness we have Representative WESTMORELAND and the gentleman from Texas, MIKE CONAWAY, who has been in the oil business, and to have Members with that expertise explain it to us and the folly of that use it or lose it. If they lose it, who in the world is going to come back and be able to afford to drill these expensive oil rigs, especially offshore. I appreciate him pointing that out.

Look at this poster, Mr. Speaker. Just a little cartoon. I think it is cute, but it is well to the point.

Here's the Democratic leadership asking a question of the administration. ''We demand you energy companies do something about these high energy prices.'' It is the voice coming from the United States Capitol.

The response from the energy companies: ''Clean coal?''

And the response back from the Capitol: ''Well, that's out of the question.''

The energy companies say well, ''We can drill in ANWR,'' that 2,000 acres out of 19 million up in the frozen tundra of the north slope of Alaska.

The response from our Congressional House majority and Speaker PELOSI: ''Forget it.''

Well, okay, ''How about nuclear power?''

The response: ''You're joking, right?''

And then finally: ''How about offshore?'' How about this Outer Continental Shelf drilling for oil and natural gas? Millions of cubic feet, billions of barrels of petroleum.

The response: ''Are you crazy?''

So finally you throw up your hands and say, ''Huh?''

And they say, the response: ''Well, don't just sit there, do something.''

□ 2145

Don't just sit there, do something. Well, I am going to tell you, the Republican minority wants to do something. The Republican minority wants to do a lot of things. The Republican minority hopefully soon to be the majority, when we tell the American people and show the American people that we want to do something in a comprehensive way, and we want to get it done before we leave here for any kind of August recess. We are making that pledge, and that's why I am proud to be here tonight with my colleagues. I know that others want to speak, and time is short.

But I hope that people will listen. I hope that our colleagues are listening. I know that there are Democrats who want to vote and support a comprehensive approach to this. There is some give and take. We can do this in a bipartisan way. But this business of use or take a little oil from the Strategic Petroleum Reserve, which would—all of that oil, that 750 million barrels that we have in reserve, if the Middle East cuts us off tomorrow, that would be exhausted in 60 days. That's why we don't tap that, just because we want to bring down the price of oil.

I yield back to my colleague.

Mr. WESTMORELAND. I want thank my colleague from Georgia. Now I want to recognize my other colleague from Georgia, another doctor, seems like we have a lot of doctors in our delegation, but my friend from Georgia, Dr. PRICE.

Mr. PRICE of Georgia. I thank my colleague from Georgia.

Dr. GINGREY, the two posters that he showed—because I think that the Taunton River, wild and scenic river poster that he showed, demonstrate the contortion to which the Democrat majority will go to not, to not increase supply of fuel, of fossil fuels for the American people, the contortions that they will go through to try to make certain that people pay more at the pump and have to pay more for heating their home in the winter. It is truly astounding.

We believe in a comprehensive solution. We don't believe in just one thing. We don't believe in just conservation, we believe strongly in conservation, but not just conservation. We don't believe just in alternative fuels, we believe in alternative fuels without a doubt, but we don't believe in just alternative fuel. We believe also in increasing supply, because, as my friend knows, we believe in the laws of economics.

The law of supply and demand is a law. That's why they call it a law. When you increase supply, you decrease cost, and that's what the American people know. That's why the American people are so supportive of the efforts that we are trying. Seventy-six percent support increasing oil drilling in the United States immediately, 76 percent.

A year ago, that wouldn't have been that number. In fact, it might have been 25 percent, absolutely the reverse, 73 percent favor—said they favor offshore drilling for oil and natural gas immediately, 73 percent. Sixty-eight percent said they supported increasing exploration for oil and natural gas immediately.

These are the American people who understand and appreciate that when the price goes up that one of the ways to bring down the price is to increase the supply, increase the supply.

Mr. WESTMORELAND. Just reclaiming my time for a minute, it's a shame that that 73 percent of the American people that my friend from Georgia commented on will never get to see a vote on this House floor, never get to see a vote on this House floor if the process remains the same.

We heard from Speaker PELOSI yesterday, and her intention is to keep the process the same, closed rules and suspension bills.

So that 73 percent that is saying, hey, drill here, drill now, drill in my backyard, wherever you got to drill, we need to bring down the price of gas, they will never get to know how their Congressman feels about that, because we will never have an opportunity.

I yield back to my friend from Georgia.

Mr. PRICE of Georgia. Many of my constituents ask me, well, why won't

you have an opportunity to vote? They don't understand, they think that back in the fourth grade and the sixth grade when they learned about how Congress works, and they thought that votes just happen on the floor of the House whenever there was a bill that was introduced. Well, the challenge that we have is that the majority party, the Speaker, determines whether or not a bill gets a vote on floor of the House, and the Speaker will not allow a vote on this.

That's all we are asking. We are not asking to game the system, to tell us what the result is going to be. We will let every Member vote, all 435 Members, let them vote. That's all we are asking. Let's vote for the utilization of deep sea exploration for oil, on-shore exploration for oil, use of oil shale, clean coal technology, increasing refining capacity, increasing energy for Americans.

That's what we would like to see a vote on the floor of this House, and I know that's what the American people want to see. I am so pleased to be able to join my colleague from Georgia tonight and the leadership that he has shown on this issue.

Mr. WESTMORELAND. I want to thank my friend for that.

You are right. What the Republican message has been is all of the above. You know, we believe in conservation. We believe in renewable energy. We believe in wind and solar, but we also believe in the new technology that's environmentally safe that we can use to drill in these deep-water areas of the Outer Continental Shelf that we can use to get shale oil out of the ground in the western States, which this Congress, in May of 2007—and I don't have the chart up here with me tonight—but in May of 2007 is when the speculation market shot sky high on the price of oil because they saw that night in May when Mr. UDALL's amendment was passed that said we could no longer drill or mine for the shale oil in the western States where there are 2 trillion, 2 trillion with a T, barrels of oil.

It is off limits, and I want to say that H.R. 6, which was passed by this body, under a closed rule, which means there was no amendments, no amendments allowed whatsoever from the minority, that they passed it. We called it the no-energy bill. At the time it was passed, gas was about $2.25 a gallon.

I want to read one comment that was made, this is on January 18 of 2007, H.R. 6. ''It is sad to see the Republicans come to this. Now they are laughably saying that this will lead to higher prices.'' That was Mr. DEFAZIO from Oregon, and this was on the Democrat energy bill.

We said then that it will lead to higher gas prices, and we were right. What we are saying now is let's look at all the measures, all the measures. We heard my friend from Texas say, in a 2-year period they were getting natural gas out of the wells at the Dallas airport. This can happen, but in order to happen, we have to get out of the fetal position. We have to get out of that political correctness mode and do what's right.

In order to do what's right, we need to have an open-rule bill come to this floor so all 435 Members of this body can have some input and all Americans can be represented in this body and it not just be a closed place. Let me say this, when the process is broken, the product is flawed.

This process is broken. We ask the majority—we ask the American people to help us create an open process so all views can be put out. Then all of the above that uses all the tools in our tool chest can be used to lower the price of gas and energy for the American people.

With that, Mr. Speaker, I yield back the balance of my time.

ENERGY PRODUCTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate being recognized this evening to address you here on the floor of the United States Representatives, the world's most deliberative body and the one that's supposed to be the most representative of people.

We are here tonight, a lot of Americans, yourself included and myself included, also, have heard from this group of gentlemen who have spent the last hour talking about energy. We are looking at gas prices that are $4.08, $4.10, $4.11.

We are looking at gas prices by my data that shows that the gas was $2.33 a gallon when Speaker PELOSI took the gavel here about the 3rd day in January of last year. We have watched gas go from $2.33 to $4.10 or $4.11.

That chart that I saw earlier that showed the gas prices and what they were when the Republicans took control of Congress and how we held that increase in gas prices down, but when the Speaker of the House took the position that we were going to have lower gas prices and an effective energy policy, we are still waiting. We are still wondering what that was.

I do know that there has been a lot of noise from this side of the aisle about windfall profit taxes. I do know there has been a lot of noise about looking into the speculators on the hedge funds, on the futures markets. There has been a lot of noise about alleging that oil and gas-generating producing companies, are dishonestly or deceptively making unjust profits, that Exxon has made $10 billion a quarter totaling $40 billion a year. People on your side of the aisle seem to they think that we should go back and slap an after-the-fact tax on companies that are pouring energy into this marketplace.

I remember, one of the more senior United States senators making a public statement here a couple of months ago, that 85 percent of the oil on our market actually comes from countries that are sovereign countries that have nationalized their oil industries. So the oil belongs to countries like Saudi Arabia, Venezuela, Iran, countries where it's not private companies, but it's countries that own 85 percent of the oil that is imported into this country.

It's not the fault of Exxon, it's no fault of Chevron, it's not the fault of a lot of our good American companies that we have. It's a number of circumstances all put together, but the sovereign nations that have nationalized their oil industries, that are marketing it to us, have a lot bigger share of this. They can control and get together and do control, under OPEC, the supply of the oil. The demand is going to be in proportion to that that is necessary and in proportion to the price. Supply and demand is going to control the price of this oil.

Another component that is not discussed very much—and I don't know that it was mentioned in the previous hour—is our weak dollar. Our dollar has declined significantly in value, especially since about the 2003, 2004 era. The more the dollar declines, the more dollars it takes to buy oil from foreign countries. So if 85 percent of the oil that's available in this marketplace come from foreign countries, owned by foreign countries, and we have to send U.S. currency there in order to purchase that oil, and we get this imbalance of trade, this imbalance that is someplace in the neighborhood of $700 billion a year—not all of it oil by any means—the weak dollar contributes to the cost of our gas.

I don't want the public to lose sight that the weak dollar contributes to the high cost of all of our commodities here in this country. For example, if you do the calculation on what it would take to dial the value of our dollar back to what it was to shore up the value of the dollar to those values of 2003, 2004 era, that's about 35 percent of the purchasing power that has drifted away as the value of dollar declines.

We bring it back to that level in proportion to the commodities that we are looking at today. We would see about 35 percent come out of the price of gasoline.

Let me just say off the top of my head, my calculus would be been this, that if you have $4.10 gas and 35 percent of that is a weaker dollar, if we could shore up the value of the dollar, gas will get dialed back down to around maybe $2.65 to $2.70 in that area. I am for doing that, but in the meantime, while we are doing that, we also understand that the demand for fuel worldwide has gone up.

It stayed fairly flat here in the United States, hardly increased at all. But in China it has increased by a third, 32 percent increase in the demand for gasoline in China, for example.

It has gone up as well in India. We lose sight of the fact that the increase

in the imported gasoline for China, for this year, has gone up 2,000 percent this year if you annualize the numbers up to the last reporting date, which I think was maybe the end of May of this year. You set it up and annualize as running at a 2,000 percent increase in the amount of gas that the Chinese are importing. When they do that, that puts a lot of demand on our availability of gas to come into the United States.

We burn about 142 billions gallons of gasoline in this country. We produced last year about 9 billion gallons of ethanol to go in and supplement that overall gas consumption that we have. That has helped keep the price of gas down.

□ 2200

There has been a powerful argument. I should say it this way: It's an argument that has been made by powerful people, and it seems to be compelling to folks who aren't critical thinkers or who aren't willing to go back and gather some information themselves to analyze the situation. This argument is that using corn for ethanol has made food prices higher.

Well, Mr. Speaker, the world doesn't seem to have access to the balance of information. They go places like to the University of California-Berkeley or to Cornell University to get their information on ethanol. I would submit that, if you wanted to learn something about ethanol, if you wanted to learn something about corn-based ethanol, you ought to go to corn country where we actually make the stuff. We know a lot about it there. We've invested our capital in it for a number of years. We've come a long way, and we know a lot more about the cost of producing ethanol and what it takes to do that than does a scientist or a professor or someone with an agenda at the University of California-Berkeley.

It works like this: The study that was released by Berkeley and Cornell University made the statement that it takes more energy to produce ethanol than you get out of it. The gentleman from Maryland has been on the floor of this Congress a number of times to make his argument in agreement with them, and I consistently disagree.

I disagree for this reason, Mr. Speaker, and that is that the calculation of Berkeley and of Cornell University goes back and calculates all of the energy it takes, not just to raise the crop of corn—first, if it takes more energy to produce the ethanol than the energy you get out of it, you would think they'd be talking about how much energy it takes to convert corn into ethanol. They are not talking about how much energy it takes to convert corn into ethanol. When they say it takes more energy to produce ethanol than you get out of it, they're taking the energy that it takes to turn corn into ethanol and the energy it takes to go to the field to raise a crop of corn that gets converted into ethanol and the energy it takes to manufacture the tractor and the combine and the planter and the disc and the cultivator if you use it and the sprayer and, I presume, the truck to haul it to town.

I read through this 62- or 63-page report that analyzed and that added up all of the components of the energy that's required to produce a gallon of ethanol. When you get to the point where they're hauling iron ore out of the mine in Hibbing, Minnesota—they didn't specifically say that, but this gets stretched out to those limits, Mr. Speaker—and when you think that your imagination has gone as far as it possibly can and when the scientists who claim that their study proves that it takes more energy to produce ethanol than you get out of it, then I see in their study that they charge 4,000 calories, which represent X number of Btus, for each farmworker per day, that being, presumably, a reasonable diet to keep the farmworker with enough energy to be able to go out there and raise that crop of corn, which gets converted into energy.

Now, when they go so far as to add up the calories that the farmworker eats, I think we ought to know what kind of a study this is. When they go so far as to add up the energy that it takes to mine the ore and to sail it across Lake Superior and to turn it into cast-iron and steel, enough to convert all of the energy that it takes to paint the tractor and to haul it out to the farm and the energy it takes to put in the tank, I think you know that we're going to make those tractors anyway and that we're going to farm those fields anyway.

We've done that for a long time, and no one has gone back and charged the energy and has gotten the energy you got for the food you ate or has charged that against what it took to manufacture the tractor or the farm machine or the truck that it took to haul the grain. That is not a balanced proposal.

In arguing that it takes more energy to produce ethanol because it takes energy to produce the tractor that goes to the field and that it takes energy to feed the farmworker, if that's the logic that we're using, Mr. Speaker, then I'll submit this: The same logic needs to apply to crude oil and to turning crude oil into gasoline in the fashion that we have for decades.

It works like this: If you're going to charge the energy that it takes to make the tractor against the corn we converted into ethanol, then you also have to calculate the energy that it takes to manufacture the drill rig, to power the drill rig. You've got to charge the roughneckers on that oil rig 4,000 calories a day just like you do the farmworkers.

By the way, we're defending a lot of oil fields around the world because we have to have that oil for our national interests, and so we've got to have also all of the energy that it takes to cast the iron that is used in the anchor for the battleship and for the carrier and for the Humvees and for the bulletproof vests and for the M–16s, the F–4s and the F–16s and for all of the components that are necessary to keep our military in play in places in the world that are a long way from home.

By the way, if it takes 4,000 calories to pay a farmworker to sit on a tractor and ride in air conditioning through the field—and we've gotten to that technology, and I'm grateful for that—we ought to be able to provide at least 4,000 calories to the marine who has to go in and root out terrorists in Fallujah.

So, if you add all of that up, Mr. Speaker, I will submit that it takes a lot more energy to convert crude oil into gasoline than it does to convert corn into ethanol. Btu for Btu. That proposal, that approach, is not a logical one. It's not a rational approach. It is a specious and facetious report that seeks to undermine the credibility of ethanol.

So here is the real number. This is Argonne National Laboratory of Chicago. We'll start like this:

You have a barrel of crude oil sitting at the gates of the refinery in Texas, and you run that crude oil in, and you convert out of that a Btu of crude oil into gasoline—one British Thermal Unit. We'll be measuring our energy in Btus here tonight, Mr. Speaker.

When you take crude oil and convert it into energy and a Btu in the form of gasoline, that 1 Btu has already consumed 1.3 Btus just in converting the crude oil into gas. It takes a lot of energy to crack gas out of crude oil and to convert it into gasoline that we can use in our vehicles.

Now, with a barrel of crude oil at the refinery in Texas, to produce 1 Btu of energy, it has already consumed more than it is. It consumes 1.3 Btus for every Btu of energy in gasoline than it produces.

If you go to, let's just say, Iowa and you set a bushel of corn at the gates of the ethanol plant in Iowa and if you convert that corn into ethanol to get 1 Btu in the form of corn-based ethanol, it takes .67 Btus of energy. These are numbers that come from Argonne Lab in Chicago.

You can boil it down to this: It takes .67 Btus of energy to get 1 Btu out when you have corn at the ethanol plant, and it comes out in the form of ethanol. It takes 1.3 Btus to get gasoline out of crude oil, to get 1 Btu of gasoline out of crude oil. So equivalent: Btu to Btu, it takes just a shade less than twice as much energy to convert crude oil into gasoline as it does to convert corn into ethanol. That's the laboratory fact, and we're getting better at it. Perhaps the honest answer today is that it's all the way up 2 to 1—twice as much energy to convert crude oil into gas as it takes to convert corn into ethanol.

So the energy component of this is the false argument for those people who side with Berkeley and with Cornell University. They cannot sustain that kind of argument in the laboratory with corn matched up against

crude oil. They can only make the argument if they add this thing up all the way to the iron ore, and that is a false comparison, but if they're going to make a false comparison, they need to make a corresponding false comparison and add up the energy that it takes to make the battleship, the carrier, the F–16, and all of that that it takes to defend the oil fields that send oil to us.

Now, with that being part of the logic, part of the argument is also that which comes out of Wall Street and out of The Wall Street Journal and out of the New York Times. It's funny. You know, the further away you get from a cornfield and the further away you get from an ethanol plant, the further away they get from the truth. Here are the things that we know in the heart of the renewable fuels country.

By the way, Mr. Speaker, I would submit to you that, as to the renewable fuels country that I represent, the western third of Iowa, 5, 6, 7 years ago, we didn't have a lot going on for a renewable fuels industry. Today in the 5th District of Iowa, in the western third of the State, when you add up the ethanol from corn and the biodiesel that comes from, let me say, animal fats and soybean oil mostly and when you add also to that the wind energy—those are all renewable energies—we produce more renewable energy than any other congressional district in America. We rank in ethanol production, in biodiesel production and in the wind generation of electricity. Those three items outstrip any other congressional district in America. So we know a little bit about renewable energy where I come from.

The concern, the argument, that comes from The Wall Street Journal and from the New York Times and from the east coast people who are as far away as you can get from the cornfields but who have no lack of self-confidence when it comes to this argument—and I'm happy to debate it with them, Mr. Speaker. In any form and at any time we can make this work, I'd happily stand up and take on all of the smartest people they can generate, but we're going to go back to facts when they debate with me.

It works like this: This corn that we've raised for years and years, this gift of the new world, actually, is hybrid corn that has been designed in the laboratories by good companies that help get us through droughts to increase the yield, having good seed corn companies that will go on record, that will say their design, their improved hybrids, will be increasing yields 3 to 4 percent per year as far out as one can predict.

When I was a kid, our corn was 80 bushel per acre. Now a pretty good crop is 200 bushel per acre. They think that we're going to see a 3 to 4 percent increase per year until corn goes to 300 bushel per acre. So think of that difference, Mr. Speaker. From the time I was a little guy, growing up, 80-bushel corn was an okay crop. 100 bushel corn was a bin buster crop. We've gone past 200 bushel today and are looking on our way to 300 bushel per acre.

That's because we're getting a lot better at the things we're doing. We've got better hybrids to work with. We're placing our fertilizer more precisely. We've got better wheat control. We've got some GMOs. We have roundup-ready corn and roundup-ready soybeans. A lot of design and engineering has gone into these crops that has increased their yield and has provided for the genetic resistance to pests and also to the resistance of certain herbicides so that we can kill the weeds, so that we can grow the crops and so that we can do so in an environmentally friendly fashion. It's better for our water. It's better for our air. It just isn't so good for bugs, and it isn't so good for weeds.

We do those things with increased corn production and with increased soybean production in our part of the country. Yet we're faced with this argument that comes out of a long ways distance from the cornfield, which is Wall Street, which says, well, food versus fuel is really the argument, that we're taking food and we're converting it to fuel, and for that reason, food prices are going up.

Well, first of all, we have for millennia—for thousands and thousands of years—since the first real farmer planted a crop—and I'll suggest that that probably was a cavewoman and not a caveman. A caveman was likely out, doing hunting and gathering. A cavewoman must have recognized that some of those seeds that got dumped outside the cave predicted what was going to grow there. So she said why don't I just save some of these seeds and plant them in the ground. Then maybe I'll be able to actually put my own crop in.

When they started to do that, that was the beginning of agriculture, and from there on out, it has always been about food and fiber. From the beginning of production agriculture or of subsistence agriculture, it has been about food and fiber. You raised the food up out of the crops, and the fiber that came from that was used for rope, for clothing, for bedding, for things of that nature. So that has gone on for thousands of years. We raised crops for food. We raised crops for fiber. Of course, one of those fiber crops would be cotton.

Yet, today, we've taken it to another level. We've got food, fiber and fuel. The three F's of agriculture today are food, fiber and fuel. Food versus fuel is not the argument they would have you believe is coming out of Wall Street, and it works like this: For the 2007 crop, during that period of time, food inflated—appreciated in cost—by 4.9 percent. Energy prices went up 18 percent. As to the 4.9 percent of that food, much of the cost of the food's going up is the energy that it takes to deliver it and to process it. Inflation comes because we know that high energy costs go into everything that we have and into every part of our economy. It takes energy to do everything. It takes energy to produce. It takes energy to deliver. It takes energy to process. So, as those costs go up, so does the cost of food go up 18 percent.

So the wizards of Wall Street say, well, food went up, so therefore, the cost of that is because, if we'd had those 3.2 billion bushels of corn into the food market, that would have been a lot of corn on somebody's plate to eat, and it would have kept the food prices down.

Well, the first thing is that's all field corn, and I don't know anybody who sits down to a plateful and loves it; although, if you catch it just right, you can eat it on the cob, and it's not so bad. After that, it's livestock feed, and yes, we process that corn into 300 different products or so. That's pretty specialized processing for some of the things. Corn oil, sweetener, things like that, and corn starch are some of the things we do. As to those forks and knives, if you put them in your coffee down in the Longworth cafeteria and they melt and go rubbery on you, I believe those are also made out of corn, they tell me, and we can do them better than that by the way. Those are some of the things we do with corn.

One of the things we don't do with corn is set an ear of field corn on one's plate and eat it. In fact, you don't make cornflakes out of it, and you don't make corn chips out of it.

□ 2215

Most of that corn is livestock feed. And it has a component in it that's starch, and it has a component in it that's oil and has a component in it that's protein. And the value of this corn as we break it down, it works out like this. Some of the oil has a high value to it, but poultry and hogs can't digest that higher oil product so well. Cattle seem to do okay. And yet the world has an over supply of starch, and it has a shortage of protein.

And so we take the corn, and we grind the corn up and process it into ethanol and we process the starch into ethanol, and we bring the protein back; and the protein comes back in the form of DDGs, or dried distillers grains is what that stands for, and we have wet mash in a number of different varieties and some high-protein varieties. We have a series of higher quality byproducts of ethanol production.

But to keep it simple, there is dried distillers grain. And the dried distillers grain is the protein. The starch has been converted into ethanol. Much of that starch would have passed through the animal and have been wasted had we fed it. But most of the protein is retained in the process. We feed it back to livestock.

And however pessimistic you want to be, Mr. Speaker, when you take a bushel of corn and convert it into three bushels of ethanol, or excuse me, three gallons of ethanol, that bushel of corn will have at least half of its value of

feed left over in the form of protein that goes back to livestock and the value of it is actually a little higher.

So a bushel of corn weighs about 56 pounds, and you can split that into thirds. About a third of it goes off in the starches that are converted into ethanol, about a third of it goes off in the form of CO_2, carbon dioxide—and a lot of that is wasted if you feed the corn anyway—and about a third of that is retained in dried distillers grain which goes back on the truck and back out to the feed lot and fed to livestock which converts it into protein that we can use, Mr. Speaker.

So if you go to an ethanol plant and stand there and watch what is happening, there will be trucks coming in that are dumping off corn. And they will come in and unload that corn; some of them will turn right back around, pull back underneath in the next bay and load themselves completely up with dried distillers grain and go out to the feed lot and dump that load off out there, and that goes out to feed cattle. We don't lose that grain in the fashion that Wall Street thinks we do.

So however you cut it, you have to add back in half, at least, and that's a conservative number, Mr. Speaker.

So here is how it works for the 2007 crop. Food prices went up 4.9 percent. Fuel prices went up 18 percent. They would have gone up more if we hadn't have put 9 billion gallons of ethanol on the market. So if the fuel prices had gone up, I believe they would have driven food prices up even higher. And to think that because we took corn off the market to make ethanol, that that deprives someone of a meal, it didn't happen. It didn't happen in a single instance in America or across the world for that matter, Mr. Speaker.

Additionally, last year, 2007, we raised more corn than ever before, 13.1 billion bushels of corn. That's a lot of corn, Mr. Speaker. And we export more corn than ever before, 2.5 billion bushels of corn. Not only do we export more than ever before, but we converted more into ethanol than ever before. We used 3.2 bushels of corn for that.

So if you have got your calculator out, and you are thinking how this works—and a lot of us can figure this in our head or do so with a pencil and a cardboard box—13.1 billion bushels of corn, minus 2.5 billion was exported, more than ever before I would remind you again, minus 3.2 billion bushels that went into ethanol production, and then but about half of that gets added back in because we didn't lose the feed value of all of that corn. So that's 1.6. Do a plus on 1.6 billion bushels of corn, that it goes back as a feed value. And now you should be at, Mr. Speaker, if you're wide awake and alert and paying attention, that you're at 9.0 billion bushels of corn available for the domestic consumption in the United States.

Now, what does that mean? Well, the answer, to put it in proportion, is that if you average the rest of the years in the decade, the average bushels that were available for domestic consumption in the United States, and that's the same math I have done, total production minus export, minus conversion to ethanol, to get you to that number the average bushels that are available for domestic consumption in the United States, that comes out to be 7.4 billion bushels. That's an average year. That's an average year in the last decade and the most representative we have, Mr. Speaker. But we had available to the domestic supply 9.0 billion bushels.

So that's 1.6 billion bushels more than we normally have for domestic supply of corn. And that says to me that high corn prices in this country aren't solely attributable to ethanol, and it says to me that it isn't really a food-versus-fuel argument. It says to me there are other factors out there such as the increase in world demand of gasoline, diesel fuel, and other hydrocarbons that come from petroleum products. It also says to me the weak dollar has made a difference, that the Chinese and their demand has gone up by 32 percent, and the Indian demand has gone up dramatically, and the Chinese import has increased 2,000 percent this year.

We also should understand that there are countries in the world that subsidize the gas purchases, China being one of them. There are multiple countries in the world that subsidize gas for people. So they're buying the value of that gas down. If they can do that, because they hold a lot of dollars maybe, maybe their currency buys a lot, whatever is their motivation, we're not subsidizing gas here in the United States. We're taxing it. We're taxing gas in the United States for a number of reasons.

But in my State, the gas tax is over 20 cents a gallon. It's been that way for a long time. The Federal gas tax is 18.4 cents a gallon. And I look at this floor and the people on it and those who hold the gavels to chair the committees, and it's astonishing to the people in my part of the country that there wouldn't be enough pressure coming from your constituents to get you to finally crack and allow us to drill to get access to places like ANWR, the Outer Continental Shelf, the BLM lands in the United States.

Why does not that pressure come from your constituents, let us just say Mr. RANGEL in New York. Mr. RANGEL, why don't your constituents rise up and demand cheaper gas? I ask that question. And you can tell me, but let me try to answer, and I will be happy to yield to you if you like. But I think the answer is this. Your constituents ride the subway. Your subway is mass transit. Your mass transit is subsidized by the gas tax that my constituents pay. So when they're paying $4.10 a gallon for tax, 20-some cents for state tax on that, 18.4 cents for Federal tax, 17 percent of the Federal gas tax dollar goes to subsidized mass transit which subsidizes your subway riders, those people who are riding around in the subterranean tunnels in New York City. They get a cheap ride, my constituents pay the price.

My constituents are mad. They're tired of $4.10 gas. Your constituents are riding on the backs of mine. That's why you're not hearing from them.

You can go right down here to South Capitol, Mr. Speaker, and climb on the Metro, and for $1.25 you can get a ride out to Falls Church. But 17 percent of the gas tax dollar that's paid for by my constituents and the people that don't have a subway and don't of a Metro and don't have an L and don't have a San Francisco cable car, 17 percent of that, their money, their gas tax money, goes to subsidize the cable car in San Francisco, the subway in New York, the L in Chicago, and the Metro here in Washington, D.C.

That's why you're not hearing the pressure, Mr. RANGEL. I'm hearing it. I have been hearing it for a long time. I have been feeling the pressure when I write the checks. I don't have to wait for my constituents to tell me.

It's about time your constituents rose up and said, Let's solve this problem because the economy in the United States will ultimately collapse if we're going to be sending our money overseas and let them hold us hostage for the oil that they have. And yet the answer that the majority party has is don't drill now, don't drill anywhere, don't allow any of this energy to come up out from underneath our very feet.

The natural gas in this country is massive. I have many times come to the floor and said there are 406 trillion cubic feet of natural gas out there, much of it on the Outer Continental Shelf, much of it we've not been not able to explore, and we don't know how much is there. But known reserves. I said 406 trillion cubic feet, and I saw a chart today that took us up to 420 trillion cubic feet of natural gas still with massive areas uncharted, unknown. That's just the known reserves.

Natural gas is a big chunk of the energy that we burn in America, Mr. Speaker. And here is an example of the percentage.

This is our energy production. All of the different kinds of energy that we produce and consume here in the United States, there's the natural gas component. Now this is the 365-degree pie chart that's all the Btus, Mr. Speaker, that we use. It includes electricity, gasoline, diesel fuel, coal, all of the sources of British thermal units. And of the energy we produce in America, the natural gas component is right here, 27.46 percent, a big old chunk of the energy we use.

Mr. PETERSON of Pennsylvania, JOHN PETERSON has come down here on this floor and repeatedly said natural gas is the mother's milk of manufacturing in America. It's the mother's milk of fertilizer. Ninety percent of the cost of producing nitrogen fertilizer, which is essential to grow everything, is right

here in the cost of natural gas. Yet because we refuse to develop our natural gas, prices have soared here in the United States and we've essentially lost our fertilizer industry; and they go to places like Trinidad, Tobago, where they have cheap, cheap natural gas. And that is driving the industry.

But also it allows for people like Hugo Chavez to hold us hostage. And a lot of that fertilizer comes from Russia.

But here in the United States, we've got the natural gas to do this, but the pressure on this natural gas is getting great because the Greens—and that means the ''green people'' that come up with some of these partial formulas; they can't think the whole thing through or refuse to, Mr. Speaker—but their idea is that the carbon, the greenhouse gas emissions, the carbon emissions from burning natural gas are less than they are from burning coal.

Here is our measure on coal: 32.54 percent of the energy produced in America is coal, 27.46 percent is natural gas.

So to give you a sense on how the Greens think, Mr. Speaker, it would be this: There is a coal-fired generating plant that provides the electricity for our Capitol complex here in the center of Washington D.C. Seems as though the Speaker of the House somehow has control or authority over how they manage that generating plant. I would think it would be the experts that do that, but obviously it's not. And I come to find out a month or so ago that the Speaker of the House, NANCY PELOSI, Democrat from San Francisco, San Francisco attitudes and ideas and ideals, issued some kind of an order that converted the power-generating plant that was fired by coal and operated effectively and efficiently, over to natural gas under the belief that there are fewer greenhouse gasses emitted by natural gas.

Now that may be true, but natural gas is a lot more expensive to generate electricity out of than coal.

So she converted from an economic-generating system to an uneconomic-generating system, and she tapped into the supply for my fertilizer. When you use natural gas to create, to produce more generating plants, you're taking that natural gas away from fertilizer. You're taking your natural gas away from manufacturing. You have tapped in to and you have siphoned off the mother's milk for the economy in this country to convert it to producing electricity.

The State of Florida—and I'm happy to see that a good number of the Florida delegation has decided that they think a little differently about drilling in the Outer Continental Shelf today. But a couple of years ago, the report I saw was that there were 33 generating plants planned for construction in Florida and that 28 of those 33 were to be natural gas fired; natural gas fired in a State that has all of that natural gas surrounding the Peninsula but is not willing to allow us to go down and tap into that natural gas.

Some of them are changing their position because they understand the security of this country is tied up in energy and the cost of energy, and if we keep shipping our wealth out, it won't matter pretty soon. We will be unable to function as an economy and the rest of the world will catch up and sweep us up.

And so, Mr. Speaker, the natural gas here, which I think is an inappropriate use to be increasing the use of natural gas to generate electricity, instead, the Speaker converted the coal-fired plant here, which was at least economical, to a natural gas fired plant, and then insisted that the Capitol complex be carbon neutral.

□ 2230

And so in order to get carbon neutral, the idea is you're supposed to, if you can't get neutral on your own, then provide incentives so others can contribute. And so the order was to the management and administration of the Capitol complex here to go buy some carbon credits on the board of trade in Chicago.

Now, I've forgotten what they call these carbon credits. There's a certain trading mechanism there on the board in Chicago that will allow people to go in and buy and sell carbon credits. And so the taxpayers of the United States spent $89,000 buying up some carbon credits on the board in Chicago.

Some of those carbon credits—the number would be about $14,500—went to a coal-fired generating plant in Chillicothe, Iowa, and that coal-fired generating plant was to experiment with burning switchgrass to generate electricity, as opposed to burning coal. The idea is that, when you burn switchgrass, you use the plant to sequester the carbon, pulls the carbon dioxide out of the air, turns it into cellulose in the form of carbon. You harvest the switchgrass, haul it into the coal-fired generating plant, dump it into an incinerator, heat it up and use that heat to generate the steam that it takes to spin the turbine that generates the electricity. That's the deal with switchgrass.

Well, the $14,500 check off that board apparently, according to the news at least, went to the plant in Chillicothe, Iowa, and they had already scrapped their plan to burn switchgrass. So it didn't change anybody's behavior in the positive, but it did help a little bit I suppose minimize the pain of experimenting with that.

$14,500 of that $89,000 also went to one of the Dakotas, and it's easy to mix them up, but I'm going to say I believe it was South Dakota. In any case, it was Farmers Union, and they distributed that money to no-till farmers. And the report is that they didn't change anybody's behavior, that some of them were to going to no-till farm anyway. Some of them had already no-till farming, but it helped out a little bit on the bottom line.

Now, this idea that we can trade carbon credits and not have any way to go back and audit and be able to measure, first, whether it changed anybody's behavior or whether you rewarded somebody for behavior that they had already adopted for some other reason, now I've got neighbors that are no-till farmers. About a third of the land around me is no-tilled. I wish it were more, and those that have been no-tilling for years are good leaders, and they will sequester some carbon in the soils, and I think that's a scientific fact, Mr. Speaker.

But it's also a fact that if they change their mind on no-till, and they want to go out and open that field up and farm it in a more conventional fashion, in a very short while, a few years at the maximum, all the carbon that's been sequestered is released into the atmosphere anyway. And so what was the point in paying them to sequester the carbon if you couldn't be sure that you could retain it there?

This has gotten pretty silly in America, Mr. Speaker. It's gotten so silly that when I pick up my chain saw and go out and trim the trees, we call that harvesting sequestered carbon where I live. And when I climb on the lawn mower and go out and cut the grass, we call that harvesting sequestered carbon. And so if I'm going to harvest that sequestered carbon, I wonder if I shouldn't get a credit for it here, and I would be willing to take that credit, if the Speaker would want to send me a check for it, and I'd contribute that back to the taxpayers that paid for it.

This is a silly, silly thing going on, and I can tell you that none of this thinking would have originated in the Midwest of the United States of America. It's got to come from the left coast and sometimes it comes from the east coast, but this is the kind of thinking that you run into in places like San Francisco and Berkeley and Boston. This is this kind of myopic thinking that can't think it through, can't get to the end, can't paint the picture of what America would look like if we gave them all their way.

So I'm not thrilled to see the direction that this is going, Mr. Speaker, but before I lose track, I want to make this point real well for everyone who is paying attention.

These are the components of our energy production. I call this is the energy pie, Mr. Speaker. Natural gas, 27.46 percent; coal, 32.54 percent. This is our nuclear, nuclear energy at 11.66 percent of the overall production. I wish that were a lot higher. Here's your hydroelectric power, 3.41 percent. Now, these tiny little slivers, things that we think actually matter and one day hopefully some of them grow so that they do, geothermal, little less than a half percent, .49 percent, not much; wind, .44 percent. Got a lot of that around me, and I'm happy that we have it. It's not a very big piece of our production pie, however. Solar power, .11 percent and can't even see that

there. It's just a line. Fuel from ethanol, .76 percent. As much as we produce, 9 billion gallons of ethanol is still only three-quarters of a percent of the overall production pie chart.

Biodiesel, .09 percent, tiny little sliver. Biomass growing, 4.12 percent. Some of that biomass is growing because we're palletizing waste and because we're palletizing wood products, for example. So we have people that have biomass furnaces. Well, I don't know how good that is from a greenhouse gas standpoint, Mr. Speaker, but biomass is a larger piece than one would think it is, 4.12 percent.

Motor gasoline, this is the gasoline that's produced in the United States of America. That's 8.29 percent of the overall production chart that we have.

Diesel fuel and heating oil together is the red piece, that's 4.2 percent. Kerosene and jet fuel together, 1.57 percent. You'd think that would be a little more, too.

And then the other petroleum products, that would be things like our real heavy oils like asphalt and products like that, that's 4.86 percent, a bigger piece than you might think.

This is what we produce, Mr. Speaker, in the form of energy, and now if it were also what we consumed, that would be a good picture. But here's a picture of what we consume, and the outside circle is the piece of our energy consumption. The inside circle is our energy production, Mr. Speaker. It's set up like this so that we can take a look at this and quickly see the difference between production and consumption.

The outside picture, the energy consumption, works out to be that, of all the energy we consume, natural gas is 23.3 percent of that. Coal is 22.4 percent. You can see that some of these things like coal we produce a big chunk of what we consume, in fact probably all of it. Nuclear, we produce what we consume, but it's 8.29 percent of the overall energy consumption. Compare it to the lower chart, where our production is 11.66 percent, and shows you just almost proportionally what happens when you go from the production chart to the consumption chart.

You can go all the way on around, and rather than pound that all in, the situation is this. We're producing 8.29 percent of the gasoline. 8.29 percent is the percentage of the overall production, but of our overall consumption, gas is 17.44 percent.

Bottom line works out to be this. Energy production, Mr. Speaker, is 72.1 quadrillion Btus of energy, 72.1. Now, quadrillion, that's 15 zeros behind there. It's a big number. But in proportion to this other number, we all understand it. We're consuming 101.4 quadrillion Btus.

The energy consumption pie is bigger than the energy production pie, Mr. Speaker, and that is the issue that we're dealing with, and we need to grow every one of these components. We need more domestically produced natural gas. We need more petroleum so that we can produce more gasoline, more diesel fuel, more kerosene and jet fuel, more other petroleum products that we have, and we need to produce more coal, clean-burning coal. Coal's cheap, we have a lot of it, and nuclear, I mentioned.

The French and their electrical generation production, 78 percent is nuclear. Now, you can look across the world for all time and measure up the safest forms of energy of electrical production, and it's going to come down to nuclear is just about safer than anything else. We think that it's dangerous because of Chernobyl. We don't generate electricity with plants designed like Chernobyl. We do it the opposite. It is much, much safer in this country than it was there. Three Mile Island, turns out that it actually wasn't the kind of a situation that they had us thinking it was.

And so right now, electrical generation production on nuclear is the safest we can do. It's the most environmentally friendly that we can do, and there is no reason that we can't be in production, building more and more nuclear-generating plants. There is one that's under construction in South Carolina, and hopefully, they will be able to streamline the regulatory process.

But we've been tied up for more than a generation by people that are opposed to nuclear-generating plants. Even though they didn't have the science behind them, they still tied it up. They still filed lawsuits. They created movements, and these movements are movements that aren't based sometimes on fact but based on emotion.

And we've seen Europe do some things that we thought was pretty silly because it's tied up in emotion. One of those is to oppose genetically modified organisms, GMOs. So the corn and the beans that we produce here, the roundup ready I talked about, the beans going up and the weeds dying out, that's not a product that they want to take on over there. So their production has not kept up as ours has, but yet somehow they figured out that if they needed electricity and they need to be able to run their air conditioners and their heaters and turn on their lights and do all of those other things that electricity does, in order to do so they've had to generate their electricity with nuclear. They're ahead of us in that capacity. We need to grow the nuclear power here.

I would grow the hydroelectric power. In fact, I could find some places to store up some of that power and reservoirs that would protect some parts of Iowa from flooding in the future. And yet, we haven't built big dams in this country in a long time because environmentalists, Mr. Speaker, stand in the way. Environmentalists stand in the way of building more nuclear plants.

Environmentalists stand in the way of producing more coal-fired generating plants. Some people think we'll never build another new coal-fired generating plant because environmentalists stand in the way.

When it comes to natural gas, environmentalists stand in the way, not in the way of burning the gas but in the way of drilling for it and in the way of distributing it and laying out pipelines so we can get it collected. And you look around at kerosene jet fuel, other petroleum products, environmentalists stand in the way.

What are they willing to allow us to do? Well, take nuclear off the table, take coal off the table, take development of natural gas off the table. All these petroleum products here, they're all off the table. Motor gasoline is off the table. What's left? Biomass, and if they caught you burning wood in your furnace they would think that added too much to greenhouse gas, Mr. Speaker, so they would take your wood-burning fireplace off the table.

So what's left? Well, let's see, fuel from ethanol? Oh, no, that's food versus fuel, we can't do that. That goes off the table.

Solar, well, solar, .08 percent, maybe just maybe. It's a real thin line there. You can't even see the wedge. Maybe they'd let us put up some more solar panels. That makes me feel all warm and fuzzy, Mr. Speaker, if they'd let us do that.

Biodiesel, no, I know that's food versus fuel. Either soybean oil or animal fat, so somebody can eat or drink it or do something else with it.

Wind, oh, yeah, they'd let us build more wind. Of course, it takes a lot of energy to produce those generators, and maybe if we would let them use the same formula that they used to add up the energy that it takes to produce ethanol, it might turn out that it takes more energy for a wind charger than to get out of the wind.

□ 2245

But I don't think those folks at Berkley and Cornell have actually dug into that to figure out how much energy that is at this point. So maybe, just maybe, we can tap a little energy from wind, a little energy from solar, and it looks to me like we're pretty much out, except for maybe geothermal, but, you know, it takes a little energy to produce that, too.

So if I just take the things that are off the table out of here and add up the consumption on those that may still be on the table, we have solar at .08, we have wind at .31, so that's .39 geothermal at .35, so you end up with .74—I think that will be the number—.74 of a percent. Not quite three-quarters of 1 percent of all of the energy that we consume in America is the only that would be acceptable to the environmentalists that stand in the way. .74 percent of our energy that we consume is not objectionable to them, Mr. Speaker.

And the number probably changes a little bit down here out of our production, but the point remains, it wouldn't

change more than—you get down to about 1 percent of the max. The point remains. These are people that think that our people can get along without energy.

Now, how can that be? What kind of a world would you be looking at? I mean, are these folks that live down next to the equator maybe? I remember Jimmy Carter sitting there saying, well, this Nation isn't going to be able to cut it anymore. Our future is minimized dramatically. We aren't going to be able to have gasoline to put in our cars. And we're going to have to be willing to accept a lower quality of life and a lower standard of living. But what you need to do if you're a patriot American is to buy yourself a cardigan sweater and put that on and button it up and sit in the chair and turn your thermostat down to 60. Now, that might work in Georgia—I don't actually think it works all the time in Georgia. It will work most of the time in southern Florida—maybe even all the time in southern Florida. It doesn't work much of the time in northern Iowa or Minnesota or Montana. It doesn't work most of the time in the northern half of the United States. But it worked for Jimmy Carter, put on a sweater, turn your thermostat down to 60.

So what's the future for this country if we can't find the will to expand all of these sources of energy as opposed to making a dinky little argument about less than 1 percent of the energy production we have as if somehow that's going to solve our problem.

And we saw T. Boone Pickens come on television in the last few days and say, ''I've been an oil man all my life, but this is one problem we can't drill our way out of.'' Well, Mr. Speaker, that may be true, but this is one problem that we can't get out of without drilling either, and T. Boone Pickens needs to hear that.

Part of the solution is, develop the energy that we have, expand the size of this overall energy production pie. And let's be realistic. If you're only supporting three-quarters of 1 percent of the overall sources of energy that we have, what are you going to do with the people until you can get to the point where you can—you think you can really expand that three-quarters of 1 percent into 101.4 quadrillion Btus? Do the math on that. Do the math on that and tell me how you come back with that, you brainiacs that are believing that this country can get along without energy.

So what does energy do? It lights our homes; it heats our homes. It fuels our vehicles. It powers the cable car in San Francisco. It provides our manufacturing energy. It keeps the wheels of this economy moving. And without energy, turn out the lights, pull the keys out of the car, pull the keys out of the boat and the camper, lock up our factories, lock up our offices, go back, and you can't even light the candle because that would put greenhouse gases up into the air and then you would have to buy a carbon credit from maybe somebody that's going to burn switch grass or do no-till farming in the Dakotas somewhere, Mr. Speaker.

I'm not going to be willing to accept the idea that we can't have a comprehensive energy plan. And I'm not going to be willing to accept the idea that the people that produce that energy are somehow capitalizing on the people here in the United States. It is supply and demand. I'm not going to be willing to accept the idea that there is a lot of margin in the futures markets and that somehow the traders have driven this up and it's an inflated price. Because when you buy in the futures, every time you go long somebody has to go short. That's the way it works, Mr. Speaker.

And last week we had witnesses before the Ag Committee that testified that they thought that a pretty respectable percentage of the high cost in gasoline comes from the people that are trading in the futures market—now, I'm not one of them. And we heard from Mr. VAN HOLLEN of Maryland who said, when asked the question, how much margin is in there? He said, Well, I don't know. I don't know how much is there, but I know we've got to squeeze it out drop by drop. And you go to his left, and there was Ms. DELAURO, who I asked if she believed in the free enterprise system. And she convinced me that we have two different concepts of what the supply and demand is and the free market system is.

And then you move to her left and you have the gentleman from Michigan (Mr. STUPAK) who, breathtakingly, wrote in his written testimony and repeated it in his oral testimony that supply and demand doesn't affect the price of gold. If gold is a commodity, the value of it is a speculators' commodity, so it's no longer affected by supply and demand and that we don't use it industrially. So over the weekend I looked over there at that gold dome, that's the Iowa Capitol, and it looks to me like that's an industrial use. And I looked down at my wedding ring, and maybe that's a jewelry/commercial industrial use. This gold is not coming back on the market. Supply and demand affects the price of gold as much today as it did when Adam Smith wrote about the Spanish galleons going down to Central America and hauling back those galleons loads of gold. They dumped that on the market in Europe and the price of gold plummeted because they took the price of labor out of it by actually stealing it from the Central Americans, Native Americans.

Breathtakingly argued that supply and demand doesn't affect the price of gold, and that oil is now a commodity like gold and it's not affected by supply and demand either. I simply can't argue with that way of thinking, I'll just say that supply and demand affects the price of everything. It's our free market system. If it doesn't, then it's government controlled, and then its volume will be rationed, Mr. Speaker.

And so of all the things we need to do, we need to grow the size of the energy pie, grow our production—this is our production—grow it out to the limits of our consumption, grow a little more if we can. Let's export a little energy and take some cash back. Let's shore up the dollar. Let's fix our balance of trade. Let's continue to close this deal; we've won the war in Iraq, and now let's finish the deal there. We've chased al Qaeda back through into Pakistan and Afghanistan. We're going to have to go there and mop it up, that's right. Casualties in Afghanistan have, of a matter, exceeded that of Iraq, and the troops in Afghanistan are far less than they are in Iraq. So proportionally it's more risky to serve in Afghanistan today than it is in Iraq.

Let's do all that. Let's seal the border. Let's end birthright citizenship. Let's shut off the jobs magnet. Let's get this country moving again. Let's improve the average annual productivity of our citizens, and let's improve their quality of life at the same time. And let's, Mr. Speaker, go back and anchor ourselves in those timeless values that are the pillars of American exceptionalism, they're in the Bill of Rights, they're in our history, they're in the Federalist Papers, and the central pillar is the rule of law.

We are a Nation that is the leader and the readout for western civilization. And one of our core values is we came from the Age of Reason in Greece, let's make sure we maintain our reason here. Let's make sure that we can maintain our ability to deductively reason, think our way through, and ask the American people to be critical thinkers. And let them be critical of us when they are logical, and let's respond to them with facts and logic, not political campaign rhetoric. Let's fix this energy problem and move forward together.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BARROW (at the request of Mr. HOYER) for July 14, today, and until 12:30 p.m. on July 16.

Mr. CONYERS (at the request of Mr. HOYER) for today after 5 p.m.

Mr. LUCAS (at the request of Mr. BOEHNER) for today after 5 p.m. and the balance of the week on account of an illness in the family.

Mr. WAMP (at the request of Mr. BOEHNER) for today until 5 p.m. on account of an announcement of Volkswagen selecting Chattanooga, Tennessee for its new U.S. auto manufacturing plant bringing $1 billion in investments and 2,000 jobs to the Tennessee Valley Corridor.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCDERMOTT) to revise and extend their remarks and include extraneous material:)

Mr. SKELTON, for 5 minutes, today.

Mr. POMEROY, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

(The following Members (at the request of Ms. FOXX) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, July 22.

Mr. JONES of North Carolina, for 5 minutes, July 22.

Mr. CONAWAY, for 5 minutes, today.

Ms. FOXX, for 5 minutes, today.

Mr. BURGESS, for 5 minutes, July 16.

Mr. GILCHREST, for 5 minutes, today.

Mr. GINGREY, for 5 minutes, today.

Mr. WOLF, for 5 minutes, July 16.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 53 minutes p.m.), the House adjourned until tomorrow, Wednesday, July 16, 2008, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7528. A letter from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule — Identification and Protection of Unclassified Controlled Nuclear Information (RIN: 1992-AA35) received June 10, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7529. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Immunology and Microbiology Devices; Classification of Plasmodium Species Antigen Detection Assays [Docket No. FDA-2008-N-0231] received June 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7530. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Coast Pelagic Species Fisheries; Annual Specifications [Docket No. 080326475-8686-02] (RIN: 0648-XG22) received June 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7531. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Seneca, PA [Docket No. FAA-2007-0277; Airspace Docket No. 07-AEA-17] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7532. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Wilkes-Barre, PA [Docket No. FAA-2008-0130; Airspace Docket No. 08-AEA-11] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7533. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Bradford, PA [Docket No. FAA-2007-0310; Airspace Docket No. 07-AEA-21] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7534. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Cranberry Township, PA [Docket No. FAA-2007-0278; Airspace Docket No. 07-AEA-18] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7535. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-8-31, DC-8-32, DC-8-33, DC-8-41, DC-8-42, and DC-8-43 Airplanes; Model DC-8-50 Series Airplanes; Model DC-8F-54 and DC-8F-55 Airplanes; Model DC-8-60 Series Airplanes; Model DC-8-60F Series Airplanes; Model DC-8-70 Series Airplanes; and Model DC-8-70F Series Airplanes [Docket No. FAA-2008-0031; Directorate Identifier 2007-NM-313-AD; Amendment 39-15484; AD 2008-09-04] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7536. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Kobuk, AK [Docket No. FAA-2007-0341; Airspace Docket No. 07-AAL-19] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7537. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Anvik, AK [Docket No. FAA-2007-0343; Airspace Docket No. 07-AAL-21] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7538. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Proposed Amendment of Class D and Class E Airspace; Altus Air Force Base (AFB) Oklahoma [Docket No. FAA-2008-0339; Airspace Docket No. 08-ASW-5] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7539. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Fort Kent, ME [Docket No. FAA-2008-0059; Airspace Docket No. 08-ANE-90] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7540. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment to Class E Airspace; Lee's Summit, MO [Docket No. FAA-2007-28776; Airspace Docket No. 07-ACE-10] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7541. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No. 30608; Amdt. No. 3269] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7542. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No. 30607; Amdt. No 3268] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7543. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Lady Lake, FL [Docket No. FAA-2008-0072; Airspace Docket No. 08-ASO-03] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7544. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Danville, KY [Docket No. FAA-2007-0246; Airspace Docket No. 07-ASO-26] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7545. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Milford, PA [Docket No. FAA-2008-0160; Airspace Docket No. 08-AEA-13] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7546. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Various Transport Category Airplanes Equipped with Auxiliary Fuel Tanks Installed in Accordance with Certain Supplemental Type Certificates [Docket No. FAA-2007-0389; Directorate Identifier 2007-NM-222-AD; Amendment 39-15450; AD 2008-07-09] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7547. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab Model SAAB-Fairchild SF340A (SAAB/SF340A) and SAAB 340B Airplanes [Docket No. FAA-2008-0017; Directorate Identifier 2007-NM-268-AD; Amendment 39-15444; AD 2008-07-03] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7548. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; MORAVAN a.s. Model Z-143L Airplanes [Docket No. FAA-2008-0345; Directorate Identifier 2008-CE-017-AD; Amendment 39-15443; AD 2008-07-02] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7549. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca Arriel 1B, 1D, 1D1, and 1S1 Turboshaft Engines [Docket No. FAA-2005-21242; Directorate Identifier 2005-NE-09-AD; Amendment 39-15442; AD 2008-07-01] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7550. A letter from the Program Analyst, Department of Transportation, transmitting

the Department's final rule — Airworthiness Directives; APEX Aircraft Model CAP 10B Airplanes [Docket No. FAA-2008-0056 Directorate Identifier 2007-CE-096-AD; Amendment 39-15446; AD 2008-07-05] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7551. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model EC130 B4 Helicopters [Docket No. FAA-2007-28228; Directorate Identifier 2006-SW-08-AD; Amendment 39-15410; AD 2008-05-16] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7552. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Avidyne Corporation Primary Flight Displays (Part Numbers 700-00006-000, -001, -002, -003, and -100) [Docket No. FAA-2008-0340; Directorate Identifier 2008-CE-020-AD; Amendment 39-15440; AD 2008-06-28] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7553. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab Model-Fairchild SF340A (SAAB/SF340A) and SAAB 340B Airplanes [Docket No. FAA-2007-29331; Directorate Identifier 2007-NM-136-AD; Amendment 2008-08-07] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7554. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lycoming Engines IO, (L)IO, TIO, (L)TIO, AEIO, AIO, IGO, IVO, and HIO Series Reciprocating Engines, Teledyne Continental Motors (TCM) TSIO-360-RB Reciprocating Engines, and Superior Air Parts, Inc. IO-360 Series Reciprocating Engines with certain Precision Airmotive LLC RSA-5 and RSA-10 Series Fuel Injection Servos [Docket No. FAA-2008-0420; Directorate Identifier 2008-NE-10-AD; Amendment 39-15466; AD 2008-08-14] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7555. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Avidyne Corporation Primary Flight Displays (Part Numbers 700-00006-000, -001, -002, -003, and -100) [Docket No. FAA-2008-0340; Directorate Identifier 2008-CE-020-AD; Amendment 39-15468; AD 2008-06-28 R1] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7556. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757 Airplanes [Docket No. FAA-2008-0011; Directorate Identifier 2007-NM-203-AD; Amendment 39-15460; AD 2008-08-08] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7557. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McCauley Propeller Systems Propeller Models B5JFR36C1101/114GCA-0, C5JFR36C1102/L114GCA-0, B5JFR36C1103/114HCA-0, and C5JFR36C1104/L114HCA-0 [Docket No. FAA-2006-25173; Directorate Identifier 2006-NE-24-AD; Amendment 39-15453; AD 2008-08-01] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7558. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A310-304, -322, -324, and -325 Airplanes; and A300 Model B4-601, B4-603, B4-605R, B4-620, B4-622, B4-622R, F4-605R, F4-622R, and C4-605R Variant F Airplanes (Commonly Called Model A300-600 Series Airplanes) [Docket No. FAA-2007-0345; Directorate Identifier 2007-NM-194-AD; Amendment 39-15465; AD 2008-08-13] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7559. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757 Airplanes [Docket No. FAA-2007-0339; Directorate Identifier 2007-NM-182-AD; Amendment 39-15464; AD 2008-08-12] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7560. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-100, -200, -200C, -300, -400 and -500 Series Airplanes [Docket No. FAA-2007-29062; Directorate Identifier 2007-NM-020-AD; Amendment 39-15462; AD 2008-08-10] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7561. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. FAA-2008-0047; Directorate Identifier 2007-NM-295-AD; Amendment 39-15461; AD 2008-08-09] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7562. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Model F.27 Mark 050 and F.28 Mark 0100 Airplanes [Docket No. FAA-2007-0394; Directorate Identifier 2007-NM-252-AD; Amendment 39-15457; AD 2008-08-05] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7563. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727 Airplanes [Docket No. FAA-2007-0227; Directorate Identifier 2007-NM-159-AD; Amendment 39-15454; AD 2008-08-02] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7564. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pacific Aerospace Limited Model 750XL Airplanes [Docket No. FAA-2008-0175; Directorate Identifier 2007-CE-105-AD; Amendment 39-15455; AD 2008-08-03] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7565. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hawker Beechcraft Corporation Models B200, B200GT, B300, and B300C Airplanes [Docket No. FAA-2008-0392; Directorate Identifier 2008-CE-022-AD; Amendment 39-15451; AD 2008-07-10] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7566. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; PILATUS AIRCRAFT LTD. Model PC-12, PC-12/45, and PC-12/47 Airplanes [Docket No. FAA-2008-0070; Directorate Identifier 2007-CE-098-AD; Amendment 39-15452; AD 2008-07-11] (RIN: 2120-AA64) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7567. A letter from the Administrator, Environmental Protection Agency, transmitting a legislative proposal to implement the 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter; to the Committee on Transportation and Infrastructure.

7568. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — TECHNICAL CORRECTIONS TO CUSTOMS AND BORDER PROTECTION REGULATIONS [CBP Dec. 08-25] received July 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7569. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Relief from Certain Low-Income Housing Credit Requirements Due to Severe Storms, Tornadoes, and Flooding in Iowa [Notice 2008-58] received July 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7570. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Relief from Certain Low-Income Housing Credit Requirements Due to Severe Storms, Tornadoes, and Flooding in Wisconsin [Notice 2008-61] received July 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7571. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Relief from Certain Low-Income Housing Credit Requirements Due to Severe Storms and Flooding in Indiana [Notice 2008-56] received July 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7572. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Coordinated Issue Motor Vehicle Industry Employee Tool & Equipment Plans Previously — Service Technicians' Tool Reimbursement Plans UIL 62.15-00 [LMSB-04-0608-037] received July 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7573. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Modifications to Subpart F Treatment of Aircraft and Vessel Leasing Income. [TD 9406] (RIN: 1545-BH03) received July 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7574. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 26 CFR 301.7216-3: Disclosure or use permitted only with the taxpayer's consent. (Also: Sections 7216, 6713) (Rev. Proc. 2008-35) received July 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7575. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Section 401.—Qualified Pension, Profit-sharing, and Stock Bonus Plans (Also, 402, 404A, 410, 414, 933, 7805, 26 CFR 1.410(b)-6, 1.414(I)-1, 1.933-1, 301.7805-1.) (Rev. Rul. 2008-

40) received July 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7576. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Interim Guidance on the Application of 457(f) to Certain Recurring Part-Year Compensation [Notice 2008-62] received July 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7577. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Amendments to the Section 7216 Regulations-Disclosure or Use of Information by Preparers of Returns [TD 9409] (RIN: 1545-BI01) received July 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7578. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Dependent Child of Divorced or Separated Parents or Parents Who Live Apart [TD 9408] (RIN: 1545-BD01) received July 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7579. A letter from the Acting Regulations Officer of Social Security, Social Security Administration, transmitting the Administration's final rule — Extension of the Expiration Date for Several Body Systems Listings [Docket No. SSA-2008-0024] (RIN: 0960-AG81) received June 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Florida: Committee on Rules. House Resolution 1343. Resolution providing for consideration of the bill (H.R. 5959) to authorize appropriations for fiscal year 2009 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. 110–759). Referred to the House Calendar.

Mr. ARCURI: Committee on Rules. House Resolution 1344. Resolution providing for consideration of the bill (H.R. 3999) to amend title 23, United States Code, to improve the safety of Federal-aid highway bridges, to strengthen bridge inspection standards and processes, to increase investment in the reconstruction of structurally deficient bridges on the National Highway System, and for other purposes (Rept. 110–760). Referred to the House Calendar.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

(The following actions occurred on July 11, 2008)

H.R. 948. Referral to the Committee on Ways and Means extended for a period ending not later than September 12, 2008.

H.R. 5577. Referral to the Committee on Energy and Commerce extended for a period ending not later than September 12, 2008.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ELLSWORTH (for himself and Mr. JORDAN):

H.R. 6491. A bill to amend title 18, United States Code, to combat, deter, and punish individuals and enterprises engaged nationally and internationally in organized crime involving theft and interstate fencing of stolen retail merchandise, and for other purposes; to the Committee on the Judiciary.

By Mr. PASCRELL (for himself, Mr. PALLONE, Ms. LINDA T. SÁNCHEZ of California, and Mr. CONYERS):

H.R. 6492. A bill to regulate certain deferred prosecution agreements and nonprosecution agreements in Federal criminal cases; to the Committee on the Judiciary.

By Mr. OBERSTAR (for himself, Mr. MICA, Mr. COSTELLO, and Mr. PETRI):

H.R. 6493. A bill to amend title 49, United States Code, to enhance aviation safety; to the Committee on Transportation and Infrastructure.

By Mrs. GILLIBRAND (for herself, Mrs. MCMORRIS RODGERS, and Ms. GINNY BROWN-WAITE of Florida):

H.R. 6494. A bill to provide veterans with individualized notice about available benefits, to streamline application processes for the benefits, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER (for himself, Mrs. TAUSCHER, Mr. SHAYS, Mr. INSLEE, Mr. MCNERNEY, and Ms. SOLIS):

H.R. 6495. A bill to authorize programs and activities to support transportation and housing options that will assist American families in reducing transportation costs, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Financial Services, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Florida (for himself, Mr. DINGELL, Mr. MCGOVERN, Mr. SHAYS, Mr. BLUMENAUER, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. SCHAKOWSKY, Ms. MOORE of Wisconsin, Mr. OLVER, Mr. ISRAEL, Mr. WELCH of Vermont, and Ms. WATERS):

H.R. 6496. A bill to address the impending humanitarian crisis and potential security breakdown as a result of the mass influx of Iraqi refugees into neighboring countries, and the growing internally displaced population in Iraq, by increasing directed accountable assistance to these populations and their host countries, facilitating the resettlement of Iraqis at risk, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HOOLEY:

H.R. 6497. A bill to require the payment of compensation to members of the Armed Forces and civilian employees of the United States who were forced to perform slave labor by the Imperial Government of Japan or by corporations of Japan during World War II, or the surviving spouses of such members, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KENNEDY:

H.R. 6498. A bill to secure the promise of personalized medicine for all Americans by expanding and accelerating genomics research and initiatives to improve the accuracy of disease diagnosis, increase the safety of drugs, and identify novel treatments, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCDERMOTT:

H.R. 6499. A bill to amend the Internal Revenue Code of 1986 to reform the estate and gift tax; to the Committee on Ways and Means.

By Mr. WAXMAN (for himself, Mr. TOM DAVIS of Virginia, and Mr. DAVIS of Illinois):

H.R. 6500. A bill to amend title 5, United States Code, to provide for the automatic enrollment of new participants in the Thrift Savings Plan, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MCDERMOTT (for himself, Mr. LARSON of Connecticut, and Mr. GEORGE MILLER of California):

H.R. 6501. A bill to amend the Social Security Act to establish a trust fund with proceeds from the taxing of internet gambling to provide opportunities to individuals who are, or were, in foster care and individuals in declining sectors of the economy; to the Committee on Ways and Means, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SALAZAR (for himself, Mr. UDALL of Colorado, and Mrs. MUSGRAVE):

H.R. 6502. A bill to provide for the construction of the Arkansas Valley Conduit in the State of Colorado; to the Committee on Natural Resources.

By Ms. WATERS:

H.R. 6503. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program; to the Committee on the Judiciary.

By Ms. WOOLSEY:

H.R. 6504. A bill to authorize grants to local educational agencies to develop and implement coordinated services programs; to the Committee on Education and Labor.

By Mr. YOUNG of Alaska:

H.R. 6505. A bill to amend the Lacey Act Amendments of 1981 to treat nonhuman primates as prohibited wildlife species under that Act, to make corrections in the provisions relating to captive wildlife offenses under that Act, and for other purposes; to the Committee on Natural Resources.

By Mr. BERMAN:

H. Res. 1341. A resolution providing for the concurrence by the House in the Senate amendments to H.R. 3890, with amendments; considered and agreed to.

By Mr. EMANUEL:

H. Res. 1342. A resolution electing certain Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. KUCINICH:

H. Res. 1345. A resolution raising a question of the privileges of the House; to the Committee on the Judiciary.

By Mr. BRADY of Pennsylvania:

H. Res. 1346. A resolution recognizing that more than 160,000,000 people in India are considered untouchable and dehumanized by the caste system; to the Committee on Foreign Affairs.

By Mr. MORAN of Virginia (for himself, Mr. FALEOMAVAEGA, and Ms. LEE):

H. Res. 1347. A resolution praising relief efforts by Chinese individuals and nongovernmental organizations to assist victims of the recent earthquake in the People's Republic of China, recognizing the Chinese Government for allowing such efforts to proceed and for allowing open media coverage of the earthquake, and encouraging the Chinese Government to continue this new era of openness; to the Committee on Foreign Affairs.

By Ms. SCHWARTZ:

H. Res. 1348. A resolution honoring Anne d'Harnoncourt for her contributions as an internationally-esteemed museum leader and art scholar; to the Committee on Oversight and Government Reform.

By Mr. TURNER (for himself, Mr. BOEHNER, Mr. BLUNT, Mr. CANTOR, Mr. PUTNAM, Mr. MCCOTTER, Mr. HUNTER, Ms. ROS-LEHTINEN, Mr. CRAMER, and Mr. EVERETT):

H. Res. 1349. A resolution commending the Government of the Czech Republic for formally agreeing to station on its territory a United States radar system for the purpose of tracking the trajectories of any ballistic missiles within its range that would threaten the collective security of the United States, the Czech Republic, and their North Atlantic Treaty Organization allies; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 41: Ms. FOXX.
H.R. 87: Mr. TURNER.
H.R. 211: Mr. MILLER of North Carolina.
H.R. 225: Mr. CAMPBELL of California.
H.R. 303: Ms. GRANGER, Mr. BISHOP of New York, and Ms. ROYBAL-ALLARD.
H.R. 333: Mr. GOHMERT, Ms. MATSUI, and Mr. ROHRABACHER.
H.R. 423: Mr. SHAYS.
H.R. 690: Mr. LARSEN of Washington, Ms. BERKLEY, and Mr. ROHRABACHER.
H.R. 699: Mr. LUCAS.
H.R. 1009: Mr. CLAY.
H.R. 1069: Mr. BRADY of Pennsylvania.
H.R. 1283: Mr. FRELINGHUYSEN.
H.R. 1363: Mrs. GILLIBRAND and Mr. SMITH of Washington.
H.R. 1366: Mr. TURNER.
H.R. 1428: Mr. ROHRABACHER.
H.R. 1527: Mr. MICHAUD and Mr. BUYER.
H.R. 1532: Mr. CUELLAR.
H.R. 1589: Ms. GRANGER, Ms. WOOLSEY, and Mr. LATHAM.
H.R. 1606: Mr. MEEKS of New York.
H.R. 1643: Mr. LATHAM.
H.R. 1671: Mr. BRADY of Pennsylvania.
H.R. 1767: Ms. GRANGER.
H.R. 1881: Mr. KLEIN of Florida.
H.R. 1927: Mr. LATHAM and Ms. ROYBAL-ALLARD.
H.R. 1953: Mr. BISHOP of Georgia, Mr. SPACE, Mr. COHEN, and Mr. BRADY of Pennsylvania.
H.R. 2014: Mr. WU.
H.R. 2075: Mr. WELCH of Vermont.
H.R. 2279: Mr. HAYES, Mr. SHUSTER, and Mr. DAVID DAVIS of Tennessee.
H.R. 2329: Mr. HONDA.
H.R. 2493: Mrs. BLACKBURN, Mr. DAVID DAVIS of Tennessee, Mr. MARCHANT, and Mr. TURNER.
H.R. 2585: Mr. CAMP of Michigan.
H.R. 2611: Mr. YARMUTH and Mr. BISHOP of New York.
H.R. 2676: Mr. RANGEL.
H.R. 2726: Mr. CARNEY.
H.R. 2802: Ms. SHEA-PORTER, Mrs. MALONEY of New York, and Mr. JACKSON of Illinois.
H.R. 2851: Mr. WALDEN of Oregon.
H.R. 2933: Mr. KILDEE.
H.R. 3010: Mr. LANGEVIN.
H.R. 3089: Mr. HUNTER and Mr. MARCHANT.
H.R. 3174: Ms. SCHAKOWSKY.
H.R. 3275: Mr. HONDA.
H.R. 3282: Mr. KIRK.
H.R. 3359: Mr. COHEN.
H.R. 3404: Mr. ISRAEL.
H.R. 3622: Mr. UPTON, Mr. WESTMORELAND, and Mr. WELLER.
H.R. 3715: Mr. MCINTYRE.
H.R. 3750: Mr. MCCOTTER.
H.R. 3905: Mr. MEEKS of New York.
H.R. 3961: Mr. BRADY of Pennsylvania.
H.R. 3990: Mr. TOM DAVIS of Virginia.
H.R. 4091: Mr. DELAHUNT and Mr. HELLER.
H.R. 4141: Mr. OBERSTAR and Mr. HODES.
H.R. 4237: Mr. ABERCROMBIE.
H.R. 4310: Mr. CONYERS.
H.R. 4453: Mr. KING of New York.
H.R. 4544: Mr. HASTINGS of Florida, Mr. JEFFERSON, and Mr. HOLDEN.
H.R. 4828: Mr. BACA.
H.R. 4930: Ms. GRANGER and Mr. BISHOP of New York.
H.R. 5266: Mr. SHERMAN.
H.R. 5268: Ms. WATERS, Ms. BORDALLO, Mr. OLVER, Mr. ETHERIDGE, Mr. ROTHMAN, Mrs. JONES of Ohio, Mrs. TAUSCHER, Ms. LINDA T. SÁNCHEZ of California, Mr. WU, and Mr. COHEN.
H.R. 5437: Mr. CHILDERS.
H.R. 5469: Mr. TOWNS and Mr. WILSON of Ohio.
H.R. 5535: Mr. HASTINGS of Florida, Mr. CONYERS, Mr. NADLER, Mr. ELLISON, Mr. FILNER, Ms. ZOE LOFGREN of California, Mr. CROWLEY, Ms. BALDWIN, Mr. BISHOP of New York, Mrs. CAPPS, Mr. KILDEE, and Mr. HOLT.
H.R. 5536: Mr. WEXLER.
H.R. 5564: Mr. LATTA.
H.R. 5573: Mr. SMITH of Washington.
H.R. 5604: Mr. BOSWELL and Mr. BRALEY of Iowa.
H.R. 5648: Ms. SCHAKOWSKY.
H.R. 5660: Mr. BRADY of Pennsylvania.
H.R. 5673: Mr. KLINE of Minnesota.
H.R. 5684: Ms. WOOLSEY.
H.R. 5731: Mr. KLINE of Minnesota.
H.R. 5737: Mr. KLINE of Minnesota.
H.R. 5752: Mr. LOBIONDO.
H.R. 5782: Mr. DUNCAN.
H.R. 5795: Mr. MCHUGH.
H.R. 5797: Mr. KLINE of Minnesota.
H.R. 5804: Mr. LIPINSKI, Mr. FILNER, and Mr. LARSON of Connecticut.
H.R. 5825: Mr. BECERRA.
H.R. 5838: Mr. HOLT.
H.R. 5852: Ms. SCHAKOWSKY.
H.R. 5867: Mr. WU.
H.R. 5892: Mr. ROSS.
H.R. 5935: Mrs. CAPITO.
H.R. 5941: Mr. BRALEY of Iowa.
H.R. 5949: Mr. ISRAEL, Mr. KNOLLENBERG, Mr. KUHL of New York, and Mr. HAYES.
H.R. 5977: Mr. BRALEY of Iowa and Ms. LINDA T. SÁNCHEZ of California.
H.R. 5979: Mr. WALSH of New York.
H.R. 6029: Mr. CONYERS and Mr. NADLER.
H.R. 6034: Mr. KELLER.
H.R. 6064: Mr. WAXMAN, Mrs. CAPITO, and Ms. WATERS.
H.R. 6066: Mr. AL GREEN of Texas.
H.R. 6078: Mr. HONDA.
H.R. 6083: Mr. BRALEY of Iowa and Mr. WILSON of South Carolina.
H.R. 6106: Mr. NUNES.
H.R. 6108: Mrs. CAPITO, Mr. DAVID DAVIS of Tennessee, Mr. MARCHANT, and Mr. PORTER.
H.R. 6112: Mr. BRADY of Pennsylvania.
H.R. 6127: Mr. BRADY of Pennsylvania and Mr. COHEN.
H.R. 6143: Ms. HIRONO.
H.R. 6185: Mr. GERLACH, Mr. FALEOMAVAEGA, and Mr. LATHAM.
H.R. 6217: Mr. DEFAZIO, Mr. BRADY of Pennsylvania, Ms. WOOLSEY, Mr. HARE, Mr. NADLER, Mr. LOBIONDO, Mr. RODRIGUEZ, Mr. EMANUEL, Mr. GRIJALVA, Mr. LAMPSON, Mr. CLAY, Mr. ORTIZ, Mrs. NAPOLITANO, Mr. REYES, Mr. GENE GREEN of Texas, Mr. LINCOLN DAVIS of Tennessee, Mr. PALLONE, Mr. ALTMIRE, Mr. CARNEY, Mr. STUPAK, Mr. PATRICK MURPHY of Pennsylvania, Mr. COSTA, Mr. ACKERMAN, Mr. HINOJOSA, Ms. SOLIS, Mr. SPACE, Mr. HONDA, Mr. ARCURI, Mr. BILIRAKIS, Mr. WU, Mr. PASTOR, Mr. GUTIERREZ, Ms. VELÁZQUEZ, Mr. BRALEY of Iowa, Mr. SHULER, Mr. WEXLER, Ms. WASSERMAN SCHULTZ, Mr. LINCOLN DIAZ-BALART of Florida, Mr. CLEAVER, Mr. ELLISON, Mr. PERLMUTTER, Mr. HASTINGS of Florida, Ms. CLARKE, and Mr. DAVIS of Alabama.
H.R. 6241: Mr. FILNER.
H.R. 6282: Mr. WOLF.
H.R. 6283: Mr. DOGGETT and Mr. MORAN of Virginia.
H.R. 6287: Mr. HILL.
H.R. 6295: Mr. THOMPSON of Mississippi, Mr. COBLE, and Mr. CUELLAR.
H.R. 6316: Mr. AL GREEN of Texas, Ms. ROYBAL-ALLARD, and Mr. MICHAUD.
H.R. 6321: Mr. HALL of New York.
H.R. 6323: Mr. REICHERT and Mr. MILLER of North Carolina.
H.R. 6328: Ms. WOOLSEY.
H.R. 6384: Mr. TIAHRT, Mr. WESTMORELAND, Mr. DAVID DAVIS of Tennessee, Mr. NUNES, and Mr. BLUNT.
H.R. 6398: Mr. HOLT.
H.R. 6408: Mr. POE.
H.R. 6415: Mr. DAVIS of Alabama.
H.R. 6445: Ms. BERKLEY.
H.R. 6453: Mr. PAUL, Ms. FALLIN, Mr. MCCOTTER, Mr. NEUGEBAUER, and Mr. BURTON of Indiana.
H.R. 6460: Mr. KILDEE, Ms. SLAUGHTER, Mr. ROGERS of Michigan, Mr. KIRK, Mr. UPTON, Mr. MCNULTY, Mr. GILCHREST, Mr. ENGLISH of Pennsylvania, Mr. KUHL of New York, Mr. LATOURETTE, Mr. TIBERI, Mrs. BIGGERT, Mrs. CAPITO, Mr. BARTLETT of Maryland, Mr. REGULA, Mr. DENT, Mr. CAMP of Michigan, Mr. WALSH of New York, Mr. MCCOTTER, Mr. HOEKSTRA, and Mr. KNOLLENBERG.
H.R. 6473: Mr. WALSH of New York.
H.R. 6479: Mr. GEORGE MILLER of California and Mr. FARR.
H.J. Res. 22: Mr. HERGER.
H.J. Res. 79: Mrs. MALONEY of New York and Mr. BRALEY of Iowa.
H. Con. Res. 24: Mr. BRADY of Pennsylvania.
H. Con. Res. 223: Mr. WALSH of New York.
H. Con. Res. 250: Mr. BUTTERFIELD.
H. Con. Res. 296: Mr. COHEN and Mr. REGULA.
H. Con. Res. 362: Mr. COLE of Oklahoma, Mr. SALAZAR, Mr. GALLEGLY, Mr. AKIN, Ms. HERSETH SANDLIN, Mr. DENT, Mr. CARDOZA, Mr. SIMPSON, and Mrs. CAPITO.
H. Con. Res. 386: Mr. AKIN, Mr. BUCHANAN, Mrs. DRAKE, Mr. WESTMORELAND, Mr. DUNCAN, Mr. COLE of Oklahoma, Mr. KLINE of Minnesota, Mr. MCCARTHY of California, Mr. JORDAN, Mr. BLUNT, Ms. FALLIN, Mr. FLAKE, Mr. HENSARLING, Mr. KING of Iowa, Mr. CAMPBELL of California, Mr. LINDER, Mr. DEAL of Georgia, Mr. ROGERS of Kentucky, Mr. LEWIS of Kentucky, Mr. DAVIS of Kentucky, Mr. DAVID DAVIS of Tennessee, Mr. ROSKAM, Mr. WILSON of South Carolina, Mr. UPTON, Mr. BILIRAKIS, Mr. GERLACH, Mr. MANZULLO, Mr. RENZI, Mr. HUNTER, Mr. BROWN of South Carolina, Mr. KELLER, Mr. MCCOTTER, Mr. STEARNS, Mr. POE, Mr. WITTMAN of Virginia, Mr. WALBERG, Mr. LATTA, Mr. BISHOP of Utah, Mr. REGULA, Mr.

TOM DAVIS of Virginia, Mrs. MCMORRIS RODGERS, Mr. HELLER, Mr. WELDON of Florida, Mr. GILCHREST, Mr. MCCRERY, Mr. CULBERSON, Mr. BILBRAY, Mr. PRICE of Georgia, Mr. PENCE, and Mr. CRENSHAW.

H. Con. Res. 389: Mr. CONAWAY, Mr. BURTON of Indiana, Mr. TIBERI, Mr. GOHMERT, Mr. REHBERG, Mr. SESSIONS, Mr. FORTUÑO, MR. MARIO DIAZ-BALART of Florida, Mr. CAMP of Michigan, Mr. RENZI, and Mr. MEEKS of New York.

H. Res. 143: Mr. CONYERS.

H. Res. 415: Mr. JONES of North Carolina, Mr. BARTLETT of Maryland, Mrs. MCMORRIS RODGERS, and Mr. WILSON of South Carolina.

H. Res. 543: Mr. PORTER.

H. Res. 645: Mr. HALL of Texas, Ms. PRYCE of Ohio, Mr. BURTON of Indiana, Ms. BORDALLO, Mr. TOWNS, Mr. WALSH of New York, Mr. SCOTT of Virginia, Mr. MCCAUL of Texas, Mr. UDALL of Colorado, Mr. RAMSTAD, Mr. TIAHRT, Mrs. DRAKE, Mr. JOHNSON of Illinois, Mr. WOLF, Mr. LATTA, Mr. KING of New York, Mr. GOODE, Mr. SHAYS, Mr. BOREN, and Mr. LINCOLN DIAZ-BALART of Florida.

H. Res. 655: Mr. CUMMINGS, Mr. MEEKS of New York, and Mr. BRADY of Pennsylvania.

H. Res. 671: Ms. SHEA-PORTER and Mr. WALDEN of Oregon.

H. Res. 672: Mr. COHEN.

H. Res. 757: Mr. ELLISON.

H. Res. 1042: Mr. LINCOLN DAVIS of Tennessee, Mr. BOUSTANY, Mrs. MCMORRIS RODGERS, Mr. CROWLEY, Mr. LEWIS of Kentucky, Mr. MCCARTHY of California, and Mr. LARSON of Connecticut.

H. Res. 1045: Mr. GEORGE MILLER of California.

H. Res. 1046: Mr. ROTHMAN.

H. Res. 1088: Ms. NORTON.

H. Res. 1090: Mr. FLAKE.

H. Res. 1227: Mr. WEXLER.

H. Res. 1249: Mr. BRADY of Pennsylvania.

H. Res. 1254: Mr. BRADY of Pennsylvania, Ms. LEE, and Mr. INGLIS of South Carolina.

H. Res. 1261: Mr. WALZ of Minnesota.

H. Res. 1266: Ms. LEE, Ms. JACKSON-LEE of Texas, Mr. BOOZMAN, Mr. POE, Mr. MCKEON, Mr. CROWLEY, Ms. WOOLSEY, and Mr. COSTA.

H. Res. 1279: Mr. LANGEVIN and Mr. SESSIONS.

H. Res. 1287: Mr. BISHOP of New York, Mr. DUNCAN, and Mr. BRADY of Pennsylvania.

H. Res. 1290: Ms. SCHAKOWSKY, Ms. MCCOLLUM of Minnesota, Mr. CARDOZA, Mr. AL GREEN of Texas, Mr. STARK, Mr. LOBIONDO, Mr. GONZALEZ, Mr. DOGGETT, Mr. MCNULTY, Mr. MILLER of North Carolina, Mr. LYNCH, Mrs. CAPPS, Mr. JEFFERSON, Mr. VAN HOLLEN, Mr. SIRES, Mr. COSTA, Mr. SHAYS, Mr. FRANK of Massachusetts, Ms. LORETTA SANCHEZ of California, Mr. MURPHY of Connecticut, and Mr. GILCHREST.

H. Res. 1296: Mrs. BONO MACK, Mr. GRIJALVA, Mr. GALLEGLY, Mr. SHIMKUS, and Mr. DANIEL E. LUNGREN of California.

H. Res. 1300: Ms. NORTON and Mr. GRIJALVA.

H. Res. 1302: Mr. PENCE and Mr. GINGREY.

H. Res. 1303: Ms. BORDALLO.

H. Res. 1311: Mr. CONYERS, Mr. PASCRELL, and Mr. STUPAK.

H. Res. 1314: Mr. WALSH of New York.

H. Res. 1316: Mr. BISHOP of New York and Mr. GALLEGLY.

H. Res. 1320: Ms. CORRINE BROWN of Florida, Ms. BORDALLO, Mr. CUMMINGS, Ms. DELAURO, Mr. GRIJALVA, Mr. KENNEDY, Mr. JEFFERSON, and Mr. MEEKS of New York.

H. Res. 1324: Mr. COSTELLO, Ms. DELAURO, Mr. REYES, Mr. CASTLE, Ms. JACKSON-LEE of Texas, Mr. LEWIS of Georgia, and Ms. WATSON.

H. Res. 1330: Mr. LINDER.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Mr. OBERSTAR of Minnesota, or his designee, to H.R. 3999, the National Highway Bridge Reconstruction and Inspection Act of 2008, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.